by ſome cauſe acting neceſſarily upon him, then there is no evi- CHAP. VIII.
dence left that he contrived this plan, or that he ever ſpent a thought about it.

The cauſe that directed all theſe determinations ſo wiſely, what ever it was, muſt be a wiſe and intelligent cauſe; it muſt have underſtood the plan, and have intended the execution of it.

If it be ſaid, that all this courſe of determinations was produced by motives; motives ſurely have not underſtanding to conceive a plan, and intend its execution. We muſt therefore go back beyond motives to ſome intelligent being who had the power of arranging thoſe motives, and applying them, in their proper order and ſeaſon, ſo as to bring about the end.

This intelligent being muſt have underſtood the plan, and intended to execute it. If this be ſo, as the man had no hand in the execution, we have not any evidence left, that he had any hand in the contrivance, or even that he is a thinking being.

If we can believe, that an extenſive ſeries of means may conſpire to promote an end without a cauſe that intended the end, and had power to chuſe and apply thoſe means for the purpoſe, we may as well believe, that this world was made by a fortuitous concourſe of atoms, without an intelligent and powerful cauſe.

If a lucky concourſe of motives could produce the conduct of an ALEXANDER or a JULIUS CÆSAR, no reaſon can be given why a lucky concourſe of atoms might not produce the planetary ſyſtem.

If, therefore, wiſe conduct in a man demonſtrates that he has ſome degree of wiſdom, it demonſtrates, with equal force and

CHAP. VII. evidence, that he has ſome degree of power over his own determinations.

All the reaſon we can aſſign for believing that our fellow-men think and reaſon, is grounded upon their actions and ſpeeches. If they are not the cauſe of theſe, there is no reaſon left to conclude that they think and reaſon.

DES CARTES thought that the human body is merely a mechanical engine, and that all its motions and actions are produced by mechaniſm. If ſuch a machine could be made to ſpeak and to act rationally, we might indeed conclude with certainty, that the maker of it had both reaſon and active power; but if we once knew, that all the motions of the machine were purely mechanical, we ſhould have no reaſon to conclude that the man had reaſon or thought.

The concluſion of this argument is, That, if the actions and ſpeeches of other men give us ſufficient evidence that they are reaſonable beings, they give us the ſame evidence, and the ſame degree of evidence, that they are free agents.

There is another concluſion that may be drawn from this reaſoning, which it is proper to mention.

Suppoſe a fataliſt, rather than give up the ſcheme of neceſſity, ſhould acknowledge that he has no evidence that there is thought and reaſon in any of his fellow-men, and that they may be mechanical engines for all that he knows; he will be forced to acknowledge, that there muſt be active power, as well as underſtanding, in the maker of thoſe engines, and that the firſt cauſe is a free agent. We have the ſame reaſon to believe this, as to believe his exiſtence and his wiſdom. And, if the Deity acts freely, every argument brought to prove that freedom of action is impoſſible, muſt fall to the ground.

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The Firſt Cauſe gives us evidence of his power by every effect that gives us evidence of his wiſdom. And, if he is pleaſed to communicate to the work of his hands ſome degree of his wiſdom, no reaſon can be aſſigned why he may not communicate ſome degree of his power, as the talent which wiſdom is to employ.

That the firſt motion, or the firſt effect, whatever it be, cannot be produced neceſſarily, and, conſequently, that the Firſt Cauſe muſt be a free agent, has been demonſtrated ſo clearly and unanſwerably by Dr CLARKE, both in his Demonſtration of the Being and Attributes of GOD, and in the end of his Remarks on COLLIN's Philoſophical Enquiry concerning Human Liberty, that I can add nothing to what he has ſaid; nor have I found any objection made to his reaſoning, by any of the defenders of neceſſity.

CHAP. IX.

Of Arguments for Neceſſity.

SOME of the arguments that have been offered for neceſſity were already conſidered in this eſſay.

It has been ſaid, That human liberty reſpects only the actions that are ſubſequent to volition; and that power over the determinations of the will is inconceivable, and involves a contradiction. This argument was conſidered in the firſt chapter.

It has been ſaid, That liberty is inconſiſtent with the influence of motives, that it would make human actions capricious, and man ungovernable by GOD or man. Theſe arguments were conſidered in the fourth and fifth chapters.

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I am now to make ſome remarks upon other arguments that have been urged in this cauſe. They may, I think, be reduced to three claſſes. They are intended to prove, either that liberty of determination is impoſſible, or that it would be hurtful, or that, in fact, man has no ſuch liberty.

To prove that liberty of determination is impoſſible, it has been ſaid, That there muſt be a ſufficient reaſon for every thing. *For every exiſtence, for every event, for every truth, there muſt be a ſufficient reaſon.*

The famous German Philoſopher LEIBNITZ boaſted much of having firſt applied this principle to philoſophy, and of having, by that means, changed metaphyſics from being a play of unmeaning words, to be a rational and demonſtrative ſcience. On this account it deſerves to be conſidered.

A very obvious objection to this principle was, That two or more means may be equally fit for the ſame end; and that, in ſuch a caſe, there may be a ſufficient reaſon for taking one of the number, though there be no reaſon for preferring one to another, of means equally fit.

To obviate this objection LEIBNITZ maintained, that the caſe ſuppoſed could not happen; or, if it did, that none of the means could be uſed, for want of a ſufficient reaſon to prefer one to the reſt. Therefore he determined, with ſome of the ſchoolmen, That if an aſs could be placed between two bundles of hay, or two fields of graſs equally inviting, the poor beaſt would certainly ſtand ſtill and ſtarve; but the caſe, he ſays, could not happen without a miracle.

When it was objected to this principle, That there could be no reaſon but the will of GOD why the material world was placed in one part of unlimited ſpace rather than another, or created

created at one point of unlimited duration rather than another, or why the planets ſhould move from weſt to eaſt, rather than in a contrary direction; theſe objections LEIBNITZ obviated by maintaining, That there is no ſuch thing as unoccupied ſpace or duration; that ſpace is nothing but the order of things coexiſting, and duration is nothing but the order of things ſucceſſive; that all motion is relative, ſo that if there were only one body in the univerſe, it would be immoveable; that it is inconſiſtent with the perfection of the Deity, that there ſhould be any part of ſpace unoccupied by body; and, I ſuppoſe, he underſtood the ſame of every part of duration. So that, according to this ſyſtem, the world, like its Author, muſt be infinite, eternal, and immoveable; or, at leaſt, as great in extent and duration as it is poſſible for it to be.

When it was objected to the principle of a ſufficient reaſon, That of two particles of matter perfectly ſimilar, there can be no reaſon but the will of GOD for placing *this* here and *that* there; this objection LEIBNITZ obviated by maintaining, That it is impoſſible that there can be two particles of matter, or any two things perfectly ſimilar. And this ſeems to have led him to another of his grand principles, which he calls, *The identity of indiſcernibles.*

When the principle of a ſufficient reaſon had produced ſo many ſurpriſing diſcoveries in philoſophy, it is no wonder that it ſhould determine the long diſputed queſtion about human liberty. This it does in a moment. The determination of the will is an event for which there muſt be a ſufficient reaſon, that is, ſomething previous, which was neceſſarily followed by that determination, and could not be followed by any other determination; therefore it was neceſſary.

Thus we ſee, that this principle of the neceſſity of a ſufficient reaſon for every thing, is very fruitful of conſequences; and by its fruits

CHAP. IX. fruits we may judge of it. Thoſe who will adopt it, muſt adopt all the conſequences that hang upon it. To fix them all beyond diſpute, no more is neceſſary but to prove the truth of the principle on which they depend.

I know of no argument offered by LEIBNITZ in proof of this principle, but the authority of ARCHIMEDES, who, he ſays, makes uſe of it to prove, that a balance loaded with equal weights on both ends will continue at reſt.

I grant it to be good reaſoning with regard to a balance, or with regard to any machine, That, when there is no external cauſe of its motion, it muſt remain at reſt, becauſe the machine has no power of moving itſelf. But to apply this reaſoning to a man, is to take for granted that the man is a machine, which is the very point in queſtion.

LEIBNITZ, and his followers, would have us to take this principle of the neceſſity of a ſufficient reaſon for every exiſtence, for every event, for every truth, as a firſt principle, without proof, without explanation; though it be evidently a vague propoſition, capable of various meanings, as the word *reaſon* is. It muſt have different meanings when applied to things of ſo different nature as an event and a truth; and it may have different meanings when applied to the ſame thing. We cannot therefore form a diſtinct judgment of it in the groſs, but only by taking it to pieces, and applying it to different things, in a preciſe and diſtinct meaning.

It can have no connection with the diſpute about liberty, except when it is applied to the determinations of the will. Let us therefore ſuppoſe a voluntary action of a man; and that the queſtion is put, Whether was there a ſufficient reaſon for this action or not?

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The natural and obvious meaning of this queſtion is, Was there a motive to the action ſufficient to juſtify it to be wiſe and good, or, at leaſt, innocent? Surely, in this ſenſe, there is not a ſufficient reaſon for every human action, becauſe there are many that are fooliſh, unreaſonable and unjuſtifiable.

If the meaning of the queſtion be, Was there a cauſe of the action? Undoubtedly there was: Of every event there muſt be a cauſe, that had power ſufficient to produce it, and that exerted that power for the purpoſe. In the preſent caſe, either the man was the cauſe of the action, and then it was a free action, and is juſtly imputed to him; or it muſt have had another cauſe, and cannot juſtly be imputed to the man. In this ſenſe, therefore, it is granted that there was a ſufficient reaſon for the action; but the queſtion about liberty is not in the leaſt affected by this conceſſion.

If, again, the meaning of the queſtion be, Was there ſomething previous to the action, which made it to be neceſſarily produced? Every man, who believes that the action was free, will anſwer to this queſtion in the negative.

I know no other meaning that can be put upon the principle of a ſufficient reaſon, when applied to the determinations of the human will, beſides the three I have mentioned. In the firſt, it is evidently falſe; in the ſecond, it is true, but does not affect the queſtion about liberty; in the third, it is a mere aſſertion of neceſſity without proof.

Before we leave this boaſted principle, we may ſee how it applies to events of another kind. When we ſay that a Philoſopher has aſſigned a ſufficient reaſon for ſuch a phænomenon, What is the meaning of this? The meaning ſurely is, That he has accounted for it from the known laws of nature. The ſufficient reaſon of a phænomenon of nature muſt therefore be ſome law

CHAP. IX. or laws of nature, of which the phænomenon is a neceſſary conſequence. But are we ſure that, in this ſenſe, there is a ſufficient reaſon for every phænomenon of nature? I think we are not.

For, not to ſpeak of miraculous events, in which the laws of nature are ſuſpended, or counteracted, we know not but that, in the ordinary courſe of God's providence, there may be particular acts of his adminiſtration, that do not come under any general law of nature.

Eſtabliſhed laws of nature are neceſſary for enabling intelligent creatures to conduct their affairs with wiſdom and prudence, and proſecute their ends by proper means; but ſtill it may be fit, that ſome particular events ſhould not be fixed by general laws, but be directed by particular acts of the Divine government, that ſo his reaſonable creatures may have ſufficient inducement to ſupplicate his aid, his protection and direction, and to depend upon him for the ſucceſs of their honeſt deſigns.

We ſee that, in human governments, even thoſe that are moſt legal, it is impoſſible that every act of the adminiſtration ſhould be directed by eſtabliſhed laws. Some things muſt be left to the direction of the executive power, and particularly acts of clemency and bounty to petitioning ſubjects. That there is nothing analogous to this in the Divine government of the world, no man is able to prove.

We have no authority to pray that God would counteract or ſuſpend the laws of nature in our behalf. Prayer therefore ſuppoſes that he may lend an ear to our prayers, without tranſgreſſing the laws of nature. Some have thought that the only uſe of prayer and devotion is, to produce a proper temper and diſpoſition in ourſelves, and that it has no efficacy with the Deity.

Deity. But this is a hypotheſis without proof. It contradicts our moſt natural ſentiments, as well as the plain doctrine of ſcripture, and tends to damp the fervour of every act of devotion.

It was indeed an article of the ſyſtem of LEIBNITZ, That the Deity, ſince the creation of the world, never did any thing, excepting in the caſe of miracles; his work being made ſo perfect at firſt, as never to need his interpoſition. But, in this, he was oppoſed by Sir ISAAC NEWTON, and others of the ableſt Philoſophers, nor was he ever able to give any proof of this tenet.

There is no evidence, therefore, that there is a ſufficient reaſon for every natural event; if, by a ſufficient reaſon, we underſtand ſome fixed law or laws of nature, of which that event is a neceſſary conſequence.

But what, ſhall we ſay, is the ſufficient reaſon for a truth? For our belief of a truth, I think, the ſufficient reaſon is our having good evidence; but what may be meant by a ſufficient reaſon for its being a truth, I am not able to gueſs, unleſs the ſufficient reaſon of a contingent truth be, That it *is* true; and, of a neceſſary truth, that it *muſt be* true. This makes a man little wiſer.

From what has been ſaid, I think it appears, That this principle of the neceſſity of a ſufficient reaſon for every thing, is very indefinite in its ſignification. If it mean, That of every event there muſt be a cauſe that had ſufficient power to produce it, this is true, and has always been admitted as a firſt principle in Philoſophy, and in common life. If it mean that every event muſt be neceſſarily conſequent upon ſomething (called a ſufficient reaſon) that went before it; this is a direct aſſertion of univerſal fatality, and has many ſtrange, not to ſay abſurd, conſequences: But, in this ſenſe, it is neither ſelf-evident, nor has

CHAP. IX. any proof of it been offered. And, in general, in every ſenſe in which it has evidence, it gives no new information; and, in every ſenſe in which it would give new information, it wants evidence.

Another argument that has been uſed to prove liberty of action to be impoſſible is, That it implies "an effect without a "cauſe."

To this it may be briefly anſwered, That a free action is an effect produced by a being who had power and will to produce it; therefore it is not an effect without a cauſe.

To ſuppoſe any other cauſe neceſſary to the production of an effect, than a being who had the power and the will to produce it, is a contradiction; for it is to ſuppoſe that being to have power to produce the effect, and not to have power to produce it.

But as great ſtreſs is laid upon this argument by a late zealous advocate for neceſſity, we ſhall conſider the light in which he puts it.

He introduces this argument with an obſervation to which I entirely agree: It is, That to eſtabliſh this doctrine of neceſſity, nothing is neceſſary but that, throughout all nature, the ſame conſequences ſhould invariably reſult from the ſame circumſtances.

I know nothing more that can be deſired to eſtabliſh univerſal fatality throughout the univerſe. When it is proved that, through all nature, the ſame conſequences invariably reſult from the ſame circumſtances, the doctrine of liberty muſt be given up.

To prevent all ambiguity, I grant, that, in reaſoning, the ſame

ſame conſequences, throughout all nature, will invariably follow from the ſame premiſes: Becauſe good reaſoning muſt be good reaſoning in all times and places. But this has nothing to do with the doctrine of neceſſity. The thing to be proved, therefore, in order to eſtabliſh that doctrine, is, That, through all nature, the ſame events invariably reſult from the ſame circumſtances.

Of this capital point, the proof offered by that author is, That an event not preceded by any circumſtances that determined it to be what it was, would be *an effect without a cauſe*. Why ſo? "For, ſays he, a *cauſe* cannot be defined to be any thing but "*ſuch previous circumſtances as are conſtantly followed by a certain ef-*"*fect;* the conſtancy of the reſult making us conclude, that "there muſt be a *ſufficient reaſon*, in the nature of things, why it "ſhould be produced in thoſe circumſtances."

I acknowledge that, if this be the only definition that can be given of a cauſe, it will follow, That an event not preceded by circumſtances that determined it to be what it was, would be, not an *effect* without a cauſe, which is a contradiction in terms, but an *event* without a cauſe, which I hold to be impoſſible. The matter therefore is brought to this iſſue, Whether this be the only definition that can be given of a cauſe?

With regard to this point, we may obſerve, *firſt*, That this definition of a cauſe, bating the phraſeology of putting a *cauſe* under the category of *circumſtances*, which I take to be new, is the ſame, in other words, with that which Mr HUME gave, of which he ought to be acknowledged the inventor. For I know of no author before Mr HUME, who maintained, that we have no other notion of a cauſe, but that it is ſomething prior to the effect, which has been found by experience to be conſtantly followed by the effect. This is a main pillar of his ſyſtem; and he

CHAP. IX. he has drawn very important conſequences from this definition, which I am far from thinking this author will adopt.

Without repeating what I have before ſaid of cauſes in the firſt of theſe Eſſays, and in the ſecond and third chapters of this, I ſhall here mention ſome of the conſequences that may be juſtly deduced from this definition of a cauſe, that we may judge of it by its fruits.

Firſt, It follows from this definition of a cauſe, that night is the cauſe of day, and day the cauſe of night. For no two things have more conſtantly followed each other ſince the beginning of the world.

Secondly, It follows from this definition of a cauſe, that, for what we know, any thing may be the cauſe of any thing, ſince nothing is eſſential to a cauſe but its being conſtantly followed by the effect. If this be ſo, what is unintelligent may be the cauſe of what is intelligent; folly may be the cauſe of wiſdom, and evil of good; all reaſoning from the nature of the effect to the nature of the cauſe, and all reaſoning from final cauſes, muſt be given up as fallacious.

Thirdly, From this definition of a cauſe, it follows, that we have no reaſon to conclude, that every event muſt have a cauſe: For innumerable events happen, when it cannot be ſhewn that there were certain previous circumſtances that have conſtantly been followed by ſuch an event. And though it were certain, that every event we have had acceſs to obſerve had a cauſe, it would not follow, that every event muſt have a cauſe: For it is contrary to the rules of logic to conclude, that, becauſe a thing has always been, therefore it muſt be; to reaſon from what is contingent, to what is neceſſary.

Fourthly, From this definition of a cauſe, it would follow, that we

we have no reaſon to conclude that there was any cauſe of the creation of this world: For there were no previous circumſtances that had been conſtantly followed by ſuch an effect. And, for the ſame reaſon, it would follow from the definition, that whatever was ſingular in its nature, or the firſt thing of its kind, could have no cauſe.

Several of theſe conſequences were fondly embraced by Mr HUME, as neceſſarily following from his definition of a cauſe, and as favourable to his ſyſtem of abſolute ſcepticiſm. Thoſe who adopt the definition of a cauſe, from which they follow, may chuſe whether they will adopt its conſequences, or ſhew that they do not follow from the definition.

A *ſecond* obſervation with regard to this argument is, That a definition of a cauſe may be given, which is not burdened with ſuch untoward conſequences.

Why may not an efficient cauſe be defined to be a being that had power and will to produce the effect? The production of an effect requires active power, and active power, being a quality, muſt be in a being endowed with that power. Power without will produces no effect; but, where theſe are conjoined, the effect muſt be produced.

This, I think, is the proper meaning of the word *cauſe*, when it is uſed in metaphyſics; and particularly when we affirm, that every thing that begins to exiſt muſt have a cauſe; and when, by reaſoning, we prove, that there muſt be an eternal Firſt Cauſe of all things.

Was the world produced by previous circumſtances which are conſtantly followed by ſuch an effect? or, Was it produced by a Being that had power to produce it, and willed its production?

In

CHAP. IX.

In natural philoſophy, the word *cauſe* is often uſed in a very different ſenſe. When an event is produced according to a known law of nature, the law of nature is called the cauſe of that event. But a law of nature is not the efficient cauſe of any event. It is only the rule, according to which the efficient cauſe acts. A law is a thing conceived in the mind of a rational being, not a thing that has a real exiſtence; and, therefore, like a motive, it can neither act nor be acted upon, and conſequently cannot be an efficient cauſe. If there be no being that acts according to the law, it produces no effect.

This author takes it for granted, that every voluntary action of man was determined to be what it was by the laws of nature, in the ſame ſenſe as mechanical motions are determined by the laws of motion; and that every choice, not thus determined, "is "juſt as impoſſible, as that a mechanical motion ſhould depend "upon no certain law or rule, or that any other effect ſhould "exiſt without a cauſe."

It ought here to be obſerved, that there are two kinds of laws, both very properly called *laws of nature*, which ought not to be confounded. There are moral laws of nature, and phyſical laws of nature. The firſt are the rules which GOD has preſcribed to his rational creatures for their conduct. They reſpect voluntary and free actions only; for no other actions can be ſubject to moral rules. Theſe laws of nature ought to be always obeyed, but they are often tranſgreſſed by men. There is therefore no impoſſibility in the violation of the moral laws of nature, nor is ſuch a violation an effect without a cauſe. The tranſgreſſor is the cauſe, and is juſtly accountable for it.

The phyſical laws of nature are the rules according to which the Deity commonly acts in his natural government of the world; and, whatever is done according to them, is not done by man, but by GOD, either immediately or by inſtruments under

der his direction. Theſe laws of nature neither reſtrain the power of the Author of nature, nor bring him under any obligation to do nothing beyond their ſphere. He has ſometimes acted contrary to them, in the caſe of miracles, and perhaps often acts without regard to them, in the ordinary courſe of his providence. Neither miraculous events, which are contrary to the phyſical laws of nature, nor ſuch ordinary acts of the Divine adminiſtration as are without their ſphere, are impoſſible, nor are they *effects without a cauſe*. GOD is the cauſe of them, and to him only they are to be imputed.

That the moral laws of nature are often tranſgreſſed by man, is undeniable. If the phyſical laws of nature make his obedience to the moral laws to be impoſſible, then he is, in the literal ſenſe, *born under one law, bound unto another*, which contradicts every notion of a righteous government of the world.

But though this ſuppoſition were attended with no ſuch ſhocking conſequence, it is merely a ſuppoſition; and until it be proved, that every choice or voluntary action of man is determined by the phyſical laws of nature, this argument for neceſſity is only the taking for granted the point to be proved.

Of the ſame kind is the argument for the impoſſibility of liberty, taken from a balance, which cannot move but as it is moved by the weights put into it. This argument, though urged by almoſt every writer in defence of neceſſity, is ſo pitiful, and has been ſo often anſwered, that it ſcarce deſerves to be mentioned.

Every argument in a diſpute, which is not grounded on principles granted by both parties, is that kind of ſophiſm which logicians call *petitio principii*; and ſuch, in my apprehenſion, are all the arguments offered to prove that liberty of action is impoſſible.

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It may farther be obſerved, that every argument of this claſs, if it were really concluſive, muſt extend to the Deity, as well as to all created beings; and neceſſary exiſtence, which has always been conſidered as the prerogative of the Supreme Being, muſt belong equally to every creature and to every event, even the moſt trifling.

This I take to be the ſyſtem of SPINOSA, and of thoſe among the ancients who carried fatality to the higheſt pitch.

I before referred the reader to Dr CLARKE's argument, which profeſſes to demonſtrate, that the Firſt Cauſe is a free agent. Until that argument ſhall be ſhewn to be fallacious, a thing which I have not ſeen attempted, ſuch weak arguments as have been brought to prove the contrary, ought to have little weight.

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The ſame Subject.

WITH regard to the *ſecond* claſs of arguments for neceſſity, which are intended to prove, that liberty of action would be hurtful to man, I have only to obſerve, that it is a fact too evident to be denied, whether we adopt the ſyſtem of liberty or that of neceſſity, that men actually receive hurt from their own voluntary actions, and from the voluntary actions of other men; nor can it be pretended, that this fact is inconſiſtent with the doctrine of liberty, or that it is more unaccountable upon this ſyſtem than upon that of neceſſity.

In order, therefore, to draw any ſolid argument againſt liberty, from its hurtfulneſs, it ought to be proved, That, if man were

were a free agent, he would do more hurt to himſelf, or to others, than he actually does. CHAP. X.

To this purpoſe it has been ſaid, That liberty would make men's actions capricious; that it would deſtroy the influence of motives; that it would take away the effect of rewards and puniſhments; and that it would make man abſolutely ungovernable.

Theſe arguments have been already conſidered in the fourth and fifth chapters of this Eſſay; and, therefore, I ſhall now proceed to the *third* claſs of arguments for neceſſity, which are intended to prove, that, in fact, men are not free agents.

The moſt formidable argument of this claſs, and, I think, the only one that has not been conſidered in ſome of the preceding chapters, is taken from the preſcience of the Deity.

God foreſees every determination of the human mind. It muſt therefore be what he foreſees it ſhall be; and therefore muſt be neceſſary.

This argument may be underſtood three different ways, each of which we ſhall conſider, that we may ſee all its force.

The neceſſity of the event may be thought to be a juſt conſequence, either barely from its being certainly future, or barely from its being foreſeen, or from the impoſſibility of its being foreſeen, if it was not neceſſary.

Firſt, It may be thought, that, as nothing can be known to be future which is not certainly future; ſo, if it be certainly future, it muſt be neceſſary.

This opinion has no leſs authority in its favour than that of

CHAP. X. ARISTOTLE, who indeed held the doctrine of liberty, but believing, at the ſame time, that whatever is certainly future muſt be neceſſary, in order to defend the liberty of human actions, maintained, That contingent events have no certain futurity; but I know of no modern advocate for liberty, who has put the defence of it upon that iſſue.

It muſt be granted, that as whatever was, certainly was, and whatever is, certainly is, ſo whatever ſhall be, certainly ſhall be. Theſe are identical propoſitions, and cannot be doubted by thoſe who conceive them diſtinctly.

But I know no rule of reaſoning by which it can be inferred, that, becauſe an event certainly ſhall be, therefore its production muſt be neceſſary. The manner of its production, whether free or neceſſary, cannot be concluded from the time of its production, whether it be paſt, preſent or future. That it ſhall be, no more implies that it ſhall be neceſſarily, than that it ſhall be freely produced; for neither preſent, paſt nor future, have any more connection with neceſſity than they have with freedom.

I grant, therefore, that, from events being foreſeen, it may be juſtly concluded, that they are certainly future; but from their being certainly future, it does not follow that they are neceſſary.

Secondly, If it be meant by this argument, that an event muſt be neceſſary, merely becauſe it is foreſeen, neither is this a juſt conſequence: For it has often been obſerved, That preſcience and knowledge of every kind, being an immanent act, has no effect upon the thing known. Its mode of exiſtence, whether it be free or neceſſary, is not in the leaſt affected by its being known to be future, any more than by its being known to be paſt or preſent. The Deity foreſees his own future free actions, but

but neither his foreſight nor his purpoſe makes them neceſſary. The argument, therefore, taken in this view, as well as in the former, is inconcluſive.

A *third* way in which this argument may be underſtood, is this: It is impoſſible that an event which is not neceſſary ſhould be foreſeen; therefore every event that is certainly foreſeen, muſt be neceſſary. Here the concluſion certainly follows from the antecedent propoſition, and therefore the whole ſtreſs of the argument lies upon the proof of that propoſition.

Let us conſider, therefore, whether it can be proved, That no free action can be certainly foreſeen. If this can be proved, it will follow, either that all actions are neceſſary, or that all actions cannot be foreſeen.

With regard to the general propoſition, That it is impoſſible that any free action can be certainly foreſeen, I obſerve,

Firſt, That every man who believes the Deity to be a free agent, muſt believe that this propoſition not only is incapable of proof, but that it is certainly falſe: For the man himſelf foreſees, that the Judge of all the earth will always do what is right, and that he will fulfil whatever he has promiſed; and, at the ſame time, believes, that, in doing what is right, and in fulfilling his promiſes, the Deity acts with the moſt perfect freedom.

Secondly, I obſerve, That every man who believes that it is an abſurdity or contradiction, that any free action ſhould be certainly foreſeen, muſt believe, if he will be conſiſtent, either that the Deity is not a free agent, or that he does not foreſee his own actions; nor can we foreſee that he will do what is right, and will fulfil his promiſes.

Thirdly,

CHAP. X. *Thirdly*, Without conſidering the conſequences which this general propoſition carries in its boſom, which give it a very bad aſpect, let us attend to the arguments offered to prove it.

Dr PRIESTLEY has laboured more in the proof of this propoſition than any other author I am acquainted with, and maintains it to be, not only a difficulty and a myſtery, as it has been called, that a contingent event ſhould be the object of knowledge, but that, in reality, there cannot be a greater abſurdity or contradiction. Let us hear the proof of this.

" For, ſays he, as certainly as nothing can be known to exiſt, but what does exiſt; ſo certainly can nothing be known to *ariſe from what does exiſt*, but what does ariſe from it or depend upon it. But, according to the definition of the terms, a contingent event does not depend upon any previous known circumſtances, ſince ſome other event might have ariſen in the ſame circumſtances."

This argument, when ſtripped of incidental and explanatory clauſes, and affected variations of expreſſion, amounts to this. Nothing can be known to ariſe from what does exiſt, but what does ariſe from it: But a contingent event does not ariſe from what does exiſt. The concluſion, which is left to be drawn by the reader, muſt, according to the rules of reaſoning, be: Therefore a contingent event cannot be known to ariſe from what does exiſt.

It is here very obvious, that a thing may ariſe from what does exiſt, two ways, freely or neceſſarily. A contingent event ariſes from its cauſe, not neceſſarily but freely, and ſo, that another event might have ariſen from the ſame cauſe, in the ſame circumſtances.

The ſecond propoſition of the argument is, That a contingent event

event does not depend upon any previous known circumſtances, which I take to be only a variation of the term of *not ariſing from what does exiſt.* Therefore, in order to make the two propoſitions to correſpond, we muſt underſtand by *ariſing from what does exiſt*, ariſing neceſſarily from what does exiſt. When this ambiguity is removed, the argument ſtands thus: Nothing can be known to ariſe neceſſarily from what does exiſt, but what does neceſſarily ariſe from it: But a contingent event does not ariſe neceſſarily from what does exiſt; therefore a contingent event cannot be known to ariſe neceſſarily from what does exiſt.

I grant the whole; but the concluſion of this argument is not what he undertook to prove, and therefore the argument is that kind of ſophiſm which logicians call *ignorantia elenchi.*

The thing to be proved is not, That a contingent event cannot be known to ariſe neceſſarily from what exiſts; but that a contingent future event cannot be the object of knowledge.

To draw the argument to this concluſion, it muſt be put thus: Nothing can be known to ariſe from what does exiſt, but what ariſes neceſſarily from it: But a contingent event does not ariſe neceſſarily from what does exiſt; therefore a contingent event cannot be known to ariſe from what does exiſt.

The concluſion here is what it ought to be; but the firſt propoſition aſſumes the thing to be proved, and therefore the argument is what logicians call *petitio principii.*

To the ſame purpoſe he ſays, "That nothing can be known "at preſent, except itſelf or its neceſſary cauſe exiſt at pre- "ſent."

This is affirmed, but I find no proof of it.

Again

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Again he ſays, "That knowledge ſuppoſes an object, which, "in this caſe, does not exiſt." It is true that knowledge ſuppoſes an object, and every thing that is known is an object of knowledge, whether paſt, preſent, or future, whether contingent or neceſſary.

Upon the whole, the arguments I can find upon this point, bear no proportion to the confidence of the aſſertion, that there cannot be a greater abſurdity or contradiction, than that a contingent event ſhould be the object of knowledge.

To thoſe who, without pretending to ſhew a manifeſt abſurdity or contradiction in the knowledge of future contingent events, are ſtill of opinion, that it is impoſſible that the future free actions of man, a being of imperfect wiſdom and virtue, ſhould be certainly foreknown, I would humbly offer the following conſiderations.

1. I grant that there is no knowledge of this kind in man; and this is the cauſe that we find it ſo difficult to conceive it in any other being.

All our knowledge of future events is drawn either from their neceſſary connection with the preſent courſe of nature, or from their connection with the character of the agent that produces them. Our knowledge, even of thoſe future events that neceſſarily reſult from the eſtabliſhed laws of nature, is hypothetical. It ſuppoſes the continuance of thoſe laws with which they are connected. And how long thoſe laws may be continued, we have no certain knowledge. GOD only knows when the preſent courſe of nature ſhall be changed, and therefore he only has certain knowledge even of events of this kind.

The character of perfect wiſdom and perfect rectitude in the Deity,

Deity gives us certain knowledge that he will always be true in all his declarations, faithful in all his promiſes, and juſt in all his diſpenſations. But when we reaſon from the character of men to their future actions, though, in many caſes, we have ſuch probability as we reſt upon in our moſt important worldly concerns, yet we have no certainty, becauſe men are imperfect in wiſdom and in virtue. If we had even the moſt perfect knowledge of the character and ſituation of a man, this would not be ſufficient to give certainty to our knowledge of his future actions; becauſe, in ſome actions, both good and bad men deviate from their general character.

The preſcience of the Deity, therefore, muſt be different not only in degree, but in kind, from any knowledge we can attain of futurity.

2. Though we can have no conception how the future free actions of men may be known by the Deity, this is not a ſufficient reaſon to conclude that they cannot be known. Do we know, or can we conceive, how God knows the ſecrets of mens hearts? Can we conceive how God made this world without any pre-exiſtent matter? All the ancient Philoſophers believed this to be impoſſible: And for what reaſon but this, that they could not conceive how it could be done. Can we give any better reaſon for believing that the actions of men cannot be certainly foreſeen?

3. Can we conceive how we ourſelves have certain knowledge by thoſe faculties with which God has endowed us? If any man thinks that he underſtands diſtinctly how he is conſcious of his own thoughts; how he perceives external objects by his ſenſes; how he remembers paſt events, I am afraid that he is not yet ſo wiſe as to underſtand his own ignorance.

4. There ſeems to me to be a great analogy between the pre-

CHAP. X. ſcience of future contingents, and the memory of paſt contingents. We poſſeſs the laſt in ſome degree, and therefore find no difficulty in believing that it may be perfect in the Deity. But the firſt we have in no degree, and therefore are apt to think it impoſſible.

In both, the object of knowledge is neither what preſently exiſts, nor has any neceſſary connection with what preſently exiſts. Every argument brought to prove the impoſſibility of preſcience, proves, with equal force, the impoſſibility of memory. If it be true that nothing can be known to ariſe from what does exiſt, but what neceſſarily ariſes from it, it muſt be equally true, that nothing can be known to have gone before what does exiſt, but what muſt neceſſarily have gone before it. If it be true that nothing future can be known unleſs its neceſſary cauſe exiſt at preſent, it muſt be equally true that nothing paſt can be known unleſs ſomething conſequent, with which it is neceſſarily connected, exiſt at preſent. If the fataliſt ſhould ſay, That paſt events are indeed neceſſarily connected with the preſent, he will not ſurely venture to ſay, that it is by tracing this neceſſary connection, that we remember the paſt.

Why then ſhould we think preſcience impoſſible in the Almighty, when he has given us a faculty which bears a ſtrong analogy to it, and which is no leſs unaccountable to the human underſtanding, than preſcience is. It is more reaſonable, as well as more agreeable to the ſacred writings, to conclude with a pious father of the church, "Quocirca nullo modo cogimur, aut "retentâ præſcientiâ DEI tollere voluntatis arbitrium, aut retento "voluntatis arbitrio, DEUM, quod nefas eſt, negare præſciuin fu- "turorum: Sed utrumque amplectimur, utrumque fideliter et "veraciter confitemur: Illud ut bene credamus; hoc ut bene "vivamus." AUG.

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CHAP. XI.

Of the Permiſſion of Evil.

ANOTHER uſe has been made of Divine preſcience by the advocates for neceſſity, which it is proper to conſider before we leave this ſubject.

It has been ſaid, "That all thoſe conſequences follow from "the Divine preſcience which are thought moſt alarming in the "ſcheme of neceſſity; and particularly GOD's being the proper "cauſe of moral evil. For, to ſuppoſe GOD to foreſee and permit what it was in his power to have prevented, is the very "ſame thing, as to ſuppoſe him to will, and directly to cauſe "it. He diſtinctly foreſees all the actions of a man's life, and "all the conſequences of them: If, therefore, he did not think "any particular man and his conduct proper for his plan of "creation and providence, he certainly would not have introduced him into being at all."

In this reaſoning we may obſerve, that a ſuppoſition is made which ſeems to contradict itſelf.

That all the actions of a particular man ſhould be diſtinctly foreſeen, and, at the ſame time, that that man ſhould never be brought into exiſtence, ſeems to me to be a contradiction: And the ſame contradiction there is, in ſuppoſing any action to be diſtinctly foreſeen, and yet prevented. For, if it be foreſeen, it ſhall happen; and, if it be prevented, it ſhall not happen, and therefore could not be foreſeen.

The knowledge here ſuppoſed is neither preſcience nor ſcience,

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but ſomething very different from both. It is a kind of knowledge, which ſome metaphyſical divines, in their controverſies about the order of the Divine decrees, a ſubject far beyond the limits of human underſtanding, attributed to the Deity, and of which other divines denied the poſſibility, while they firmly maintained the Divine preſcience.

It was called *ſcientia media*, to diſtinguiſh it from preſcience; and by this *ſcientia media* was meant, not the knowing from eternity all things that ſhall exiſt, which is preſcience, nor the knowing all the connections and relations of things that exiſt or may be conceived, which is ſcience, but a knowledge of things contingent, that never did nor ſhall exiſt. For inſtance, the knowing every action that would be done by a man who is barely conceived, and ſhall never be brought into exiſtence.

Againſt the poſſibility of the *ſcientia media* arguments may be urged, which cannot be applied to preſcience. Thus it may be ſaid, that nothing can be known but what is true. It is true that the future actions of a free agent ſhall exiſt, and therefore we ſee no impoſſibility in its being known that they ſhall exiſt: But with regard to the free actions of an agent that never did nor ſhall exiſt, there is nothing true, and therefore nothing can be known. To ſay that the being conceived, would certainly act in ſuch a way, *if* placed in ſuch a ſituation, if it have any meaning, is to ſay, That his acting in that way is the conſequence of the conception; but this contradicts the ſuppoſition of its being a free action.

Things merely conceived have no relations or connections but ſuch as are implied in the conception, or are conſequent from it. Thus I conceive two circles in the ſame plane. If this be all I conceive, it is not true that theſe circles are equal or unequal, becauſe neither of theſe relations is implied in the conception; yet if the two circles really exiſted, they muſt be either

either equal or unequal. Again, I conceive two circles in the same plane, the diſtance of whoſe centres is equal to the ſum of their ſemidiameters. It is true of theſe circles, that they will touch one another, becauſe this follows from the conception; but it is not true that they will be equal or unequal, becauſe neither of theſe relations is implied in the conception, nor is conſequent from it. CHAP. XI.

In like manner, I can conceive a being who has power to do an indifferent action, or not to do it. It is not true that he would do it, nor is it true that he would not do it, becauſe neither is implied in my conception, nor follows from it; and what is not true cannot be known.

Though I do not perceive any fallacy in this argument againſt a *ſcientia media*, I am ſenſible how apt we are to err in applying what belongs to our conceptions and our knowledge, to the conceptions and knowledge of the Supreme Being; and, therefore, without pretending to determine for or againſt a *ſcientia media*, I only obſerve, that, to ſuppoſe that the Deity prevents what he foreſees by his preſcience, is a contradiction, and that to know that a contingent event which he ſees fit not to permit would certainly happen if permitted, is not preſcience, but the *ſcientia media*, whoſe exiſtence or poſſibility we are under no neceſſity of admitting.

Waving all diſpute about *ſcientia media*, we acknowledge, that nothing can happen under the adminiſtration of the Deity, which he does not ſee fit to permit. The permiſſion of natural and moral evil, is a phænomenon which cannot be diſputed. To account for this phænomenon under the government of a Being of infinite goodneſs, juſtice, wiſdom and power, has, in all ages, been conſidered as difficult to human reaſon, whether we embrace the ſyſtem of liberty or that of neceſſity. But, if the difficulty of accounting for this phænomenon upon the ſyſtem of

CHAP. XI. of neceſſity, be as great as it is upon the ſyſtem of liberty, it can have no weight when uſed as an argument againſt liberty.

The defenders of neceſſity, to reconcile it to the principles of Theiſm, find themſelves obliged to give up all the moral attributes of GOD, excepting that of goodneſs, or a deſire to produce happineſs. This they hold to be the ſole motive of his making and governing the univerſe. Juſtice, veracity, faithfulneſs, are only modifications of goodneſs, the means of promoting its purpoſes, and are exerciſed only ſo far as they ſerve that end. Virtue is acceptable to him and vice diſpleaſing, only as the firſt tends to produce happineſs and the laſt miſery. He is the proper cauſe and agent of all moral evil as well as good; but it is for a good end, to produce the greater happineſs to his creatures. He does evil that good may come, and this end ſanctifies the worſt actions that contribute to it. All the wickedneſs of men being the work of GOD, he muſt, when he ſurveys it, pronounce it, as well as all his other works, to be very good.

This view of the Divine nature, the only one conſiſtent with the ſcheme of neceſſity, appears to me much more ſhocking than the permiſſion of evil upon the ſcheme of liberty. It is ſaid, that it requires only *ſtrength of mind* to embrace it: To me it ſeems to require much ſtrength of countenance to profeſs it.

In this ſyſtem, as in CLEANTHES' Tablature of the Epicurean ſyſtem, pleaſure or happineſs is placed upon the throne as the queen, to whom all the virtues bear the humble office of menial ſervants.

As the end of the Deity, in all his actions, is not his own good, which can receive no addition, but the good of his creatures; and, as his creatures are capable of this diſpoſition in ſome degree, is he not pleaſed with this image of himſelf in his creatures, and diſpleaſed with the contrary? Why then ſhould he

he be the author of malice, envy, revenge, tyranny and oppreſſion, in their hearts? Other vices that have no malevolence in them may pleaſe ſuch a Deity, but ſurely malevolence cannot pleaſe him.

If we form our notions of the moral attributes of the Deity from what we ſee of his government of the world, from the dictates of reaſon and conſcience, or from the doctrine of revelation, juſtice, veracity, faithfulneſs, the love of virtue and diſlike of vice, appear to be no leſs eſſential attributes of his nature than goodneſs.

In man, who is made after the image of GOD, goodneſs or benevolence is indeed an eſſential part of virtue, but it is not the whole.

I am at a loſs what arguments can be brought to prove goodneſs to be eſſential to the Deity, which will not, with equal force, prove other moral attributes to be ſo; or what objections can be brought againſt the latter, which have not equal ſtrength againſt the former, unleſs it be admitted to be an objection againſt other moral attributes, that they do not accord with the doctrine of neceſſity.

If other moral evils may be attributed to the Deity as the means of promoting general good, why may not falſe declarations and falſe promiſes? And then what ground have we left to believe the truth of what he reveals, or to rely upon what he promiſes?

Suppoſing this ſtrange view of the Divine nature were to be adopted in favour of the doctrine of neceſſity, there is ſtill a great difficulty to be reſolved.

Since it is ſuppoſed, that the Supreme Being had no other end in

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in making and governing the univerſe, but to produce the greateſt degree of happineſs to his creatures in general, how comes it to paſs, that there is ſo much miſery in a ſyſtem made and governed by infinite wiſdom and power for a contrary purpoſe?

The ſolution of this difficulty leads us neceſſarily to another hypotheſis, That all the miſery and vice that is in the world is a neceſſary ingredient in that ſyſtem which produces the greateſt ſum of happineſs upon the whole. This connection betwixt the greateſt ſum of happineſs and all the miſery that is in the univerſe, muſt be fatal and neceſſary in the nature of things, ſo that even Almighty power cannot break it: For benevolence can never lead to inflict miſery without neceſſity.

This neceſſary connection between the greateſt ſum of happineſs upon the whole, and all the natural and moral evil that is, or has been, or ſhall be, being once eſtabliſhed, it is impoſſible for mortal eyes to diſcern how far this evil may extend, or on whom it may happen to fall; whether this fatal connection may be temporary or eternal, or what proportion of the happineſs may be balanced by it.

A world made by perfect wiſdom and Almighty power, for no other end but to make it happy, preſents the moſt pleaſing proſpect that can be imagined. We expect nothing but uninterrupted happineſs to prevail for ever. But, alas! When we conſider that in this happieſt ſyſtem, there muſt be neceſſarily all the miſery and vice we ſee, and how much more we know not, how is the proſpect darkened!

Theſe two hypotheſes, the one limiting the moral character of the Deity, the other limiting his power, ſeem to me to be the neceſſary conſequences of neceſſity, when it is joined with Theiſm; and they have accordingly been adopted by the ableſt defenders of that doctrine.

If

If ſome defenders of liberty, by limiting too raſhly the Divine preſcience, in order to defend that ſyſtem, have raiſed high indignation in their opponents; have they not equal ground of indignation againſt thoſe, who, to defend neceſſity, limit the moral perfection of the Deity, and his Almighty power?

Let us conſider, on the other hand, what conſequences may be fairly drawn from GOD's permitting the abuſe of liberty in agents on whom he has beſtowed it.

If it be aſked, Why does GOD permit ſo much ſin in his creation? I confeſs I cannot anſwer the queſtion, but muſt lay my hand upon my mouth. He giveth no account of his conduct to the children of men. It is our part to obey his commands, and not to ſay unto him, Why doſt thou thus?

Hypotheſes might be framed; but, while we have ground to be ſatisfied, that he does nothing but what is right, it is more becoming us to acknowledge that the ends and reaſons of his univerſal government are beyond our knowledge, and perhaps beyond the comprehenſion of human underſtanding. We cannot penetrate ſo far into the counſel of the Almighty, as to know all the reaſons why it became him, of whom are all things, and to whom are all things, to create, not only machines, which are ſolely moved by his hand, but ſervants and children, who, by obeying his commands, and imitating his moral perfections, might riſe to a high degree of glory and happineſs in his favour, or, by perverſe diſobedience, might incur guilt and juſt puniſhment. In this he appears to us awful in his juſtice, as well as amiable in his goodneſs.

But, as he diſdains not to appeal to men for the equity of his proceedings towards them when his character is impeached, we may, with humble reverence, plead for GOD, and vindicate

CHAP. XI. that moral excellence which is the glory of his nature, and of which the image is the glory and the perfection of man.

Let us obſerve firſt of all, that *to permit* hath two meanings. It ſignifies not to forbid; and it ſignifies not to hinder by ſuperior power. In the firſt of theſe ſenſes, GOD never permits ſin. His law forbids every moral evil. By his laws and by his government, he gives every encouragement to good conduct, and every diſcouragement to bad. But he does not always, by his ſuperior power, hinder it from being committed. This is the ground of the accuſation; and this, it is ſaid, is the very ſame thing as directly to will and to cauſe it.

As this is aſſerted without proof, and is far from being ſelf-evident, it might be ſufficient to deny it until it be proved. But, without reſting barely on the defenſive, we may obſerve, that the only moral attributes that can be ſuppoſed inconſiſtent with the permiſſion of ſin, are either goodneſs or juſtice.

The defenders of neceſſity, with whom we have to do in this point, as they maintain that goodneſs is the only eſſential moral attribute of the Deity, and the motive of all his actions, muſt, if they will be conſiſtent, maintain, That to will, and directly to cauſe ſin, much more not to hinder it, is conſiſtent with perfect goodneſs, nay, that goodneſs is a ſufficient motive to juſtify the willing and directly cauſing it.

With regard to them, therefore, it is ſurely unneceſſary to attempt to reconcile the permiſſion of ſin with the goodneſs of GOD, ſince an inconſiſtency between that attribute and the cauſing of ſin would overturn their whole ſyſtem.

If the cauſing of moral evil, and being the real author of it, be conſiſtent with perfect goodneſs, what pretence can there be

to

to ſay, that not to hinder it is inconſiſtent with perfect goodneſs? CHAP. XI.

What is incumbent upon them, therefore, to prove, is, That the permiſſion of ſin is inconſiſtent with juſtice; and, upon this point, we are ready to join iſſue with them.

But what pretence can there be to ſay, that the permiſſion of ſin is perfectly conſiſtent with goodneſs in the Deity, but inconſiſtent with juſtice?

Is it not as eaſy to conceive, that he ſhould permit ſin, though virtue be his delight, as that he inflicts miſery, when his ſole delight is to beſtow happineſs? Should it appear incredible, that the permiſſion of ſin may tend to promote virtue, to them who believe that the infliction of miſery is neceſſary to promote happineſs?

The juſtice, as well as the goodneſs of GOD's moral government of mankind, appears in this That his laws are not arbitrary nor grievous, as it is only by the obedience of them that our nature can be perfected and qualified for future happineſs; that he is ready to aid our weakneſs, to help our infirmities, and not to ſuffer us to be tempted above what we are able to bear; that he is not ſtrict to mark iniquity, or to execute judgment ſpeedily againſt an evil work, but is long-ſuffering, and waits to be gracious; that he is ready to receive the humble penitent to his favour; that he is no reſpecter of perſons, but in every nation he that fears GOD and works righteouſneſs is accepted of him; that of every man he will require an account, proportioned to the talents he hath received; that he delights in mercy, but hath no pleaſure in the death of the wicked; and therefore in puniſhing will never go beyond the demerit of the criminal, nor beyond what the rules of his univerſal government require.

CHAP. XI. There were, in ancient ages, ſome who ſaid, the way of the LORD is not equal; to whom the Prophet, in the name of GOD, makes this reply, which, in all ages, is ſufficient to repel this accuſation. Hear now, O houſe of Iſrael, is not my way equal, are not your ways unequal? When a righteous man turneth away from his righteouſneſs, and committeth iniquity, for his iniquity which he hath done ſhall he die. Again, when a wicked man turneth away from his wickedneſs that he hath committed, and doth that which is lawful and right, he ſhall ſave his ſoul alive. O houſe of Iſrael, are not my ways equal, are not your ways unequal? Repent, and turn from all your tranſgreſſions, ſo iniquity ſhall not be your ruin. Caſt away from you all your tranſgreſſions whereby you have tranſgreſſed, and make you a new heart and a new ſpirit, for why will ye die, O houſe of Iſrael? For I have no pleaſure in the death of him that dieth, ſaith the LORD GOD.

Another argument for neceſſity has been lately offered, which we ſhall very briefly conſider.

It has been maintained, that the power of thinking is the reſult of a certain modification of matter, and that a certain configuration of brain makes a ſoul; and, if man be wholly a material being, it is ſaid, that it will not be denied, that he muſt be a mechanical being; that the doctrine of neceſſity is a direct inference from that of materialiſm, and its undoubted conſequence.

As this argument can have no weight with thoſe who do not ſee reaſon to embrace this ſyſtem of materialiſm; ſo, even with thoſe who do, it ſeems to me to be a mere ſophiſm.

Philoſophers have been wont to conceive matter to be an inert paſſive being, and to have certain properties inconſiſtent with the power of thinking or of acting. But a Philoſopher ariſes,

ariſes, who proves, we ſhall ſuppoſe, that we were quite miſtaken in our notion of matter; that it has not the properties we ſuppoſed, and, in fact, has no properties but thoſe of attraction and repulſion; but ſtill he thinks, that, being matter, it will not be denied that it is a mechanical being, and that the doctrine of neceſſity is a direct inference from that of materialiſm.

Herein, however, he deceives himſelf. If matter be what we conceived it to be, it is equally incapable of thinking and of acting freely. But if the properties, from which we drew this concluſion, have no reality, as he thinks he has proved; if it have the powers of attraction and repulſion, and require only a certain configuration to make it think rationally, it will be impoſſible to ſhew any good reaſon why the ſame configuration may not make it act rationally and freely. If its reproach of ſolidity, inertneſs and ſluggiſhneſs be wiped off; and if it be raiſed in our eſteem to a nearer approach to the nature of what we call ſpiritual and immaterial beings, why ſhould it ſtill be nothing but a mechanical being? Is its ſolidity, inertneſs and ſluggiſhneſs, to be firſt removed to make it capable of thinking, and then reſtored in order to make it incapable of acting?

Thoſe, therefore, who reaſon juſtly from this ſyſtem of materialiſm will eaſily perceive, that the doctrine of neceſſity is ſo far from being a direct inference, that it can receive no ſupport from it.

To conclude this Eſſay: Extremes of all kinds ought to be avoided; yet men are prone to run into them; and, to ſhun one extreme, we often run into the contrary.

Of all extremes of opinion, none are more dangerous than thoſe that exalt the powers of man too high, on the one hand, or ſink them too low, on the other.

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By raiſing them too high, we feed pride and vain-glory, we loſe the ſenſe of our dependence upon GOD, and engage in attempts beyond our abilities. By depreſſing them too low, we cut the ſinews of action and of obligation, and are tempted to think, that, as we can do nothing, we have nothing to do, but to be carried paſſively along by the ſtream of neceſſity.

Some good men, apprehending that, to kill pride and vain-glory, our active powers cannot be too much depreſſed, have been led, by zeal for religion, to deprive us of all active power.

Other good men, by a like zeal, have been led to depreciate the human underſtanding, and to put out the light of nature and reaſon, in order to exalt that of revelation.

Thoſe weapons which were taken up in ſupport of religion, are now employed to overturn it; and what was, by ſome, accounted the bulwark of orthodoxy, is become the ſtrong hold of atheiſm and infidelity.

Atheiſts join hands with Theologians, in depriving man of all active power, that they may deſtroy all moral obligation, and all ſenſe of right and wrong. They join hands with Theologians, in depreciating the human underſtanding, that they may lead us into abſolute ſcepticiſm.

GOD, in mercy to the human race, has made us of ſuch a frame, that no ſpeculative opinion whatſoever can root out the ſenſe of guilt and demerit when we do wrong, nor the peace and joy of a good conſcience when we do what is right. No ſpeculative opinion can root out a regard to the teſtimony of our ſenſes, of our memory, and of our rational faculties. But we have reaſon to be jealous of opinions which run counter to thoſe natural ſentiments of the human mind, and tend to ſhake, though they never can eradicate them.

There

There is little reaſon to fear, that the conduct of men, with regard to the concerns of the preſent life, will ever be much affected, either by the doctrine of neceſſity, or by ſcepticiſm. It were to be wiſhed, that men's conduct, with regard to the concerns of another life, were in as little danger from thoſe opinions.

In the preſent ſtate, we ſee ſome who zealouſly maintain the doctrine of neceſſity, others who as zealouſly maintain that of liberty. One would be apt to think, that a practical belief of theſe contrary ſyſtems ſhould produce very different conduct in them that hold them; yet we ſee no ſuch difference in the affairs of common life.

The fataliſt deliberates, and reſolves, and plights his faith. He lays down a plan of conduct, and proſecutes it with vigour and induſtry. He exhorts and commands, and holds thoſe to be anſwerable for their conduct to whom he hath committed any charge. He blames thoſe that are falſe or unfaithful to him as other men do. He perceives dignity and worth in ſome characters and actions, and in others demerit and turpitude. He reſents injuries, and is grateful for good offices.

If any man ſhould plead the doctrine of neceſſity to exculpate murder, theft, or robbery, or even wilful negligence in the diſcharge of his duty, his judge, though a fataliſt, if he had common ſenſe, would laugh at ſuch a plea, and would not allow it even to alleviate the crime.

In all ſuch caſes, he ſees that it would be abſurd not to act and to judge as thoſe ought to do who believe themſelves and other men to be free agents, juſt as the ſceptic, to avoid abſurdity, muſt, when he goes into the world, act and judge like other men who are not ſceptics.

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If the fataliſt be as little influenced by the opinion of neceſſity in his moral and religious concerns, and in his expectations concerning another world, as he is in the common affairs of life, his ſpeculative opinion will probably do him little hurt. But, if he truſt ſo far to the doctrine of neceſſity, as to indulge ſloth and inactivity in his duty, and hope to exculpate himſelf to his Maker by that doctrine, let him conſider whether he ſuſtains this excuſe from his ſervants and dependants, when they are negligent or unfaithful in what is committed to their charge.

Biſhop BUTLER, in his *Analogy*, has an excellent chapter upon *the opinion of neceſſity conſidered as influencing practice*, which I think highly deſerving the conſideration of thoſe who are inclined to that opinion.

ESSAY V.

OF MORALS.

CHAP. I.

Of the First Principles of Morals.

MORALS, like all other ſciences, muſt have firſt principles, on which all moral reaſoning is grounded.

In every branch of knowledge where diſputes have been raiſed, it is uſeful to diſtinguiſh the firſt principles from the ſuperſtructure. They are the foundation on which the whole fabric of the ſcience leans; and whatever is not ſupported by this foundation can have no ſtability.

In all rational belief, the thing believed is either itſelf a firſt principle, or it is by juſt reaſoning deduced from firſt principles. When men differ about deductions of reaſoning, the appeal muſt be to the rules of reaſoning, which have been very unanimouſly fixed from the days of ARISTOTLE. But when they differ about a firſt principle, the appeal is made to another tribunal; to that of common ſenſe.

How the genuine deciſions of common ſenſe may be diſtinguiſhed from the counterfeit, has been conſidered in eſſay ſixth, on the Intellectual Powers of Man, chapter fourth, to which the reader is referred. What I would here obſerve is, That as firſt principles differ from deductions of reaſoning in the nature

CHAP. I. of their evidence, and muſt be tried by a different ſtandard when they are called in queſtion, it is of importance to know to which of theſe two claſſes a truth which we would examine, belongs. When they are not diſtinguiſhed, men are apt to demand proof for every thing they think fit to deny: And when we attempt to prove by direct argument, what is really ſelf-evident, the reaſoning will always be inconcluſive; for it will either take for granted the thing to be proved, or ſomething not more evident; and ſo, inſtead of giving ſtrength to the concluſion, will rather tempt thoſe to doubt of it, who never did ſo before.

I propoſe, therefore, in this chapter, to point out ſome of the firſt principles of morals, without pretending to a complete enumeration.

The principles I am to mention, relate either to virtue in general, or to the different particular branches of virtue, or to the compariſon of virtues where they ſeem to interfere.

1. There are ſome things in human conduct, that merit approbation and praiſe, others that merit blame and puniſhment; and different degrees either of approbation or of blame, are due to different actions.

2. What is in no degree voluntary, can neither deſerve moral approbation nor blame.

3. What is done from unavoidable neceſſity may be agreeable or diſagreeable, uſeful or hurtful, but cannot be the object either of blame or of moral approbation.

4. Men may be highly culpable in omitting what they ought to have done, as well as in doing what they ought not.

5. We ought to uſe the beſt means we can to be well informed

ed of our duty, by ſerious attention to moral inſtruction; by obſerving what we approve, and what we diſapprove, in other men, whether our acquaintance, or thoſe whoſe actions are recorded in hiſtory; by reflecting often, in a calm and diſpaſſionate hour, on our own paſt conduct, that we may diſcern what was wrong, what was right, and what might have been better; by deliberating coolly and impartially upon our future conduct, as far as we can foreſee the opportunities we may have of doing good, or the temptations to do wrong; and by having this principle deeply fixed in our minds, that as moral excellence is the true worth and glory of a man, ſo the knowledge of our duty is to every man, in every ſtation of life, the moſt important of all knowledge.

6. It ought to be our moſt ſerious concern to do our duty as far as we know it, and to fortify our minds againſt every temptation to deviate from it; by maintaining a lively ſenſe of the beauty of right conduct, and of its preſent and future reward, of the turpitude of vice, and of its bad conſequences here and hereafter; by having always in our eye the nobleſt examples; by the habit of ſubjecting our paſſions to the government of reaſon; by firm purpoſes and reſolutions with regard to our conduct; by avoiding occaſions of temptation when we can; and by imploring the aid of him who made us, in every hour of temptation.

Theſe principles concerning virtue and vice in general, muſt appear ſelf-evident to every man who hath a conſcience, and who hath taken pains to exerciſe this natural power of his mind. I proceed to others that are more particular.

1. We ought to prefer a greater good, though more diſtant, to a leſs; and a leſs evil to a greater.

A regard to our own good, though we had no conſcience,

CHAP. I. dictates this principle; and we cannot help disapproving the man that acts contrary to it, as deserving to lose the good which he wantonly threw away, and to suffer the evil which he knowingly brought upon his own head.

We observed before, that the ancient moralists, and many among the modern, have deduced the whole of morals from this principle, and that when we make a right estimate of goods and evils according to their degree, their dignity, their duration, and according as they are more or less in our power, it leads to the practice of every virtue: More directly, indeed, to the virtues of self-government, to prudence, to temperance, and to fortitude; and, though more indirectly, even to justice, humanity, and all the social virtues, when their influence upon our happiness is well understood.

Though it be not the noblest principle of conduct, it has this peculiar advantage, that its force is felt by the most ignorant, and even by the most abandoned.

Let a man's moral judgment be ever so little improved by exercise, or ever so much corrupted by bad habits, he cannot be indifferent to his own happiness or misery. When he is become insensible to every nobler motive to right conduct, he cannot be insensible to this. And though to act from this motive solely may be called *prudence* rather than *virtue*, yet this prudence deserves some regard upon its own account, and much more as it is the friend and ally of virtue, and the enemy of all vice; and as it gives a favourable testimony of virtue to those who are deaf to every other recommendation.

If a man can be induced to do his duty even from a regard to his own happiness, he will soon find reason to love virtue for her own sake, and to act from motives less mercenary.

I cannot therefore approve of thoſe moraliſts, who would baniſh all perſuaſives to virtue taken from the conſideration of private good. In the preſent ſtate of human nature theſe are not uſeleſs to the beſt, and they are the only means left of reclaiming the abandoned.

2. As far as the intention of nature appears in the conſtitution of man, we ought to comply with that intention, and to act agreeably to it.

The Author of our being hath given us not only the power of acting within a limited ſphere, but various principles or ſprings of action, of different nature and dignity, to direct us in the exerciſe of our active power.

From the conſtitution of every ſpecies of the inferior animals, and eſpecially from the active principles which nature has given them, we eaſily perceive the manner of life for which nature intended them; and they uniformly act the part to which they are led by their conſtitution, without any reflection upon it, or intention of obeying its dictates. Man only, of the inhabitants of this world, is made capable of obſerving his own conſtitution, what kind of life it is made for, and of acting according to that intention, or contrary to it. He only is capable of yielding an intentional obedience to the dictates of his nature, or of rebelling againſt them.

In treating of the principles of action in man, it has been ſhewn, that as his natural inſtincts and bodily appetites, are well adapted to the preſervation of his natural life, and to the continuance of the ſpecies; ſo his natural deſires, affections, and paſſions, when uncorrupted by vicious habits, and under the government of the leading principles of reaſon and conſcience, are excellently fitted for the rational and ſocial life. Every vicious action ſhews an exceſs, or defect, or wrong direction of ſome natural

CHAP. I. tural ſpring of action, and therefore may, very juſtly, be ſaid to be unnatural. Every virtuous action agrees with the uncorrupted principles of human nature.

The Stoics defined virtue to be a life according to nature. Some of them more accurately, a life according to the nature of man, in ſo far as it is ſuperior to that of brutes. The life of a brute is according to the nature of the brute; but it is neither virtuous nor vicious. The life of a moral agent cannot be according to his nature, unleſs it be virtuous. That conſcience, which is in every man's breaſt, is the law of God written in his heart, which he cannot diſobey without acting unnaturally, and being ſelf-condemned.

The intention of nature, in the various active principles of man, in the deſires of power, of knowledge, and of eſteem, in the affection to children, to near relations, and to the communities to which we belong, in gratitude, in compaſſion, and even in reſentment and emulation, is very obvious, and has been pointed out in treating of thoſe principles. Nor is it leſs evident, that reaſon and conſcience are given us to regulate the inferior principles, ſo that they may conſpire, in a regular and conſiſtent plan of life, in purſuit of ſome worthy end.

3. No man is born for himſelf only. Every man, therefore, ought to conſider himſelf as a member of the common ſociety of mankind, and of thoſe ſubordinate ſocieties to which he belongs, ſuch as family, friends, neighbourhood, country, and to do as much good as he can, and as little hurt to the ſocieties of which he is a part.

This axiom leads directly to the practice of every ſocial virtue, and indirectly to the virtues of ſelf-government, by which only we can be qualified for diſcharging the duty we owe to ſociety.

4. In

4. In every caſe, we ought to act that part towards another, which we would judge to be right in him to act toward us, if we were in his circumſtances and he in ours; or, more generally, what we approve in others, that we ought to practiſe in like circumſtances, and what we condemn in others we ought not to do.

If there be any ſuch thing as right and wrong in the conduct of moral agents, it muſt be the ſame to all in the ſame circumſtances.

We ſtand all in the ſame relation to him who made us, and will call us to account for our conduct; for with him there is no reſpect of perſons. We ſtand in the ſame relation to one another as members of the great community of mankind. The duties conſequent upon the different ranks and offices and relations of men are the ſame to all in the ſame circumſtances.

It is not want of judgment, but want of candour and impartiality, that hinders men from diſcerning what they owe to others. They are quickſighted enough in diſcerning what is due to themſelves. When they are injured, or ill-treated, they ſee it, and feel reſentment. It is the want of candour that makes men uſe one meaſure for the duty they owe to others, and another meaſure for the duty that others owe to them in like circumſtances. That men ought to judge with candour, as in all other caſes, ſo eſpecially in what concerns their moral conduct, is ſurely ſelf-evident to every intelligent being. The man who takes offence when he is injured in his perſon, in his property, in his good name, pronounces judgment againſt himſelf if he act ſo toward his neighbour.

As the equity and obligation of this rule of conduct is ſelf-evident to every man who hath a conſcience; ſo it is, of all the rules of morality, the moſt comprehenſive, and truly deſerves the

CHAP. I. the encomium given it by the higheſt authority, that *it is the law and the prophets.*

It comprehends every rule of juſtice without exception. It comprehends all the relative duties, ariſing either from the more permanent relations of parent and child, of maſter and ſervant, of magiſtrate and ſubject, of huſband and wife, or from the more tranſient relations of rich and poor, of buyer and ſeller, of debtor and creditor, of benefactor and beneficiary, of friend and enemy. It comprehends every duty of charity and humanity, and even of courteſy and good manners.

Nay, I think, that, without any force or ſtraining, it extends even to the duties of ſelf-government. For, as every man approves in others the virtues of prudence, temperance, ſelf-command and fortitude, he muſt perceive, that what is right in others muſt be right in himſelf in like circumſtances.

To ſum up all, he who acts invariably by this rule will never deviate from the path of his duty, but from an error of judgment. And, as he feels the obligation that he and all men are under to uſe the beſt means in his power to have his judgment well-informed in matters of duty, his errors will only be ſuch as are invincible.

It may be obſerved, that this axiom ſuppoſes a faculty in man by which he can diſtinguiſh right conduct from wrong. It ſuppoſes alſo, that, by this faculty, we eaſily perceive the right and the wrong in other men that are indifferent to us; but are very apt to be blinded by the partiality of ſelfiſh paſſions when the caſe concerns ourſelves. Every claim we have againſt others is apt to be magnified by ſelf-love, when viewed directly. A change of perſons removes this prejudice, and brings the claim to appear in its juſt magnitude.

5. To

5. To every man who believes the exiſtence, the perfections, and the providence of GOD, the veneration and ſubmiſſion we owe to him is ſelf-evident. Right ſentiments of the Deity and of his works, not only make the duty we owe to him obvious to every intelligent being, but likewiſe add the authority of a Divine law to every rule of right conduct.

There is another claſs of axioms in morals, by which, when there ſeems to be an oppoſition between the actions that different virtues lead to, we determine to which the preference is due.

Between the ſeveral virtues, as they are diſpoſitions of mind, or determinations of will, to act according to a certain general rule, there can be no oppoſition. They dwell together moſt amicably, and give mutual aid and ornament, without the poſſibility of hoſtility or oppoſition, and, taken altogether, make one uniform and conſiſtent rule of conduct. But, between particular external actions, which different virtues would lead to, there may be an oppoſition. Thus, the ſame man may be in his heart, generous, grateful and juſt. Theſe diſpoſitions ſtrengthen, but never can weaken one another. Yet it may happen, that an external action which generoſity or gratitude ſolicits, juſtice may forbid.

That in all ſuch caſes, unmerited generoſity ſhould yield to gratitude, and both to juſtice, is ſelf-evident. Nor is it leſs ſo, that unmerited beneficence to thoſe who are at eaſe ſhould yield to compaſſion to the miſerable, and external acts of piety to works of mercy, becauſe GOD loves mercy more than ſacrifice.

At the ſame time, we perceive, that thoſe acts of virtue which ought to yield in the caſe of a competition, have moſt intrinſic worth when there is no competition. Thus, it is evident that there is more worth in pure and unmerited benevolence than in

CHAP. I. compaſſion, more in compaſſion than in gratitude, and more in gratitude than in juſtice.

I call theſe *firſt principles*, becauſe they appear to me to have in themſelves an intuitive evidence which I cannot reſiſt. I find I can expreſs them in other words. I can illuſtrate them by examples and authorities, and perhaps can deduce one of them from another; but I am not able to deduce them from other principles that are more evident. And I find the beſt moral reaſonings of authors I am acquainted with, ancient and modern, Heathen and Chriſtian, to be grounded upon one or more of them.

The evidence of mathematical axioms is not diſcerned till men come to a certain degree of maturity of underſtanding. A boy muſt have formed the general conception of *quantity*, and of *more* and *leſs* and *equal*, of *ſum* and *difference*; and he muſt have been accuſtomed to judge of theſe relations in matters of common life, before he can perceive the evidence of the mathematical axiom, that equal quantities, added to equal quantities, make equal ſums.

In like manner, our moral judgment, or conſcience, grows to maturity from an imperceptible ſeed, planted by our Creator. When we are capable of contemplating the actions of other men, or of reflecting upon our own calmly and diſpaſſionately, we begin to perceive in them the qualities of honeſt and diſhoneſt, of honourable and baſe, of right and wrong, and to feel the ſentiments of moral approbation and diſapprobation.

Theſe ſentiments are at firſt feeble, eaſily warped by paſſions and prejudices, and apt to yield to authority. By uſe and time, the judgment, in morals as in other matters, gathers ſtrength, and feels more vigour. We begin to diſtinguiſh the dictates of paſſion from thoſe of cool reaſon, and to perceive, that it is not always

always ſafe to rely upon the judgment of others. By an impulſe of nature, we venture to judge for ourſelves, as we venture to walk by ourſelves.

There is a ſtrong analogy between the progreſs of the body from infancy to maturity, and the progreſs of all the powers of the mind. This progreſſion in both is the work of nature, and in both may be greatly aided or hurt by proper education. It is natural to a man to be able to walk or run or leap; but if his limbs had been kept in fetters from his birth, he would have none of thoſe powers. It is no leſs natural to a man trained in ſociety, and accuſtomed to judge of his own actions and thoſe of other men, to perceive a right and a wrong, an honourable and a baſe, in human conduct; and to ſuch a man, I think, the principles of morals I have above mentioned will appear ſelf-evident. Yet there may be individuals of the human ſpecies ſo little accuſtomed to think or judge of any thing, but of gratifying their animal appetites, as to have hardly any conception of right or wrong in conduct, or any moral judgment; as there certainly are ſome who have not the conceptions and the judgment neceſſary to underſtand the axioms of geometry.

From the principles above mentioned, the whole ſyſtem of moral conduct follows ſo eaſily, and with ſo little aid of reaſoning, that every man of common underſtanding, who wiſhes to know his duty, may know it. The path of duty is a plain path, which the upright in heart can rarely miſtake. Such it muſt be, ſince every man is bound to walk in it. There are ſome intricate caſes in morals which admit of diſputation; but theſe ſeldom occur in practice; and, when they do, the learned diſputant has no great advantage: For the unlearned man, who uſes the beſt means in his power to know his duty, and acts according to his knowledge, is inculpable in the ſight of God and man. He may err, but he is not guilty of immorality.

CHAP. II.

Of Syſtems of Morals.

IF the knowledge of our duty be ſo level to the apprehenſion of all men, as has been repreſented in the laſt chapter, it may ſeem hardly to deſerve the name of a ſcience. It may ſeem that there is no need for inſtruction in morals.

From what cauſe then has it happened, that we have many large and learned ſyſtems of moral philoſophy, and ſyſtems of natural juriſprudence, or the law of nature and nations; and that, in modern times, public profeſſions have been inſtituted in moſt places of education for inſtructing youth in theſe branches of knowledge?

This event, I think, may be accounted for, and the utility of ſuch ſyſtems and profeſſions juſtified, without ſuppoſing any difficulty or intricacy in the knowledge of our duty.

I am far from thinking inſtruction in morals unneceſſary. Men may, to the end of life, be ignorant of ſelf-evident truths. They may, to the end of life, entertain groſs abſurdities. Experience ſhews that this happens often in matters that are indifferent. Much more may it happen in matters where intereſt, paſſion, prejudice and faſhion, are ſo apt to pervert the judgment.

The moſt obvious truths are not perceived without ſome ripeneſs of judgment. For we ſee, that children may be made to believe any thing, however ſo abſurd. Our judgment of things is ripened, not by time only, but chiefly by being exerciſed about things of the ſame or of a ſimilar kind.

Judgment, even in things ſelf-evident, requires a clear, diſtinct

ſtinct and ſteady conception of the things about which we judge. Our conceptions are at firſt obſcure and wavering. The habit of attending to them is neceſſary to make them diſtinct and ſteady; and this habit requires an exertion of mind to which many of our animal principles are unfriendly. The love of truth calls for it; but its ſtill voice is often drowned by the louder call of ſome paſſion, or we are hindered from liſtening to it by lazineſs and deſultorineſs. Thus men often remain through life ignorant of things which they needed but to open their eyes to ſee, and which they would have ſeen if their attention had been turned to them.

The moſt knowing derive the greateſt part of their knowledge, even in things obvious, from inſtruction and information, and from being taught to exerciſe their natural faculties, which, without inſtruction, would lie dormant.

I am very apt to think, that, if a man could be reared from infancy, without any ſociety of his fellow-creatures, he would hardly ever ſhew any ſign, either of moral judgment, or of the power of reaſoning. His own actions would be directed by his animal appetites and paſſions, without cool reflection, and he would have no acceſs to improve, by obſerving the conduct of other beings like himſelf.

The power of vegetation in the ſeed of a plant, without heat and moiſture, would for ever lie dormant. The rational and moral powers of man would perhaps lie dormant without inſtruction and example. Yet theſe powers are a part, and the nobleſt part, of his conſtitution; as the power of vegetation is of the ſeed.

Our firſt moral conceptions are probably got by attending coolly to the conduct of others, and obſerving what moves our approbation, what our indignation. Theſe ſentiments ſpring from

CHAP. II. from our moral faculty as naturally as the ſenſations of ſweet and bitter from the faculty of taſte. They have their natural objects. But moſt human actions are of a mixed nature, and have various colours, according as they are viewed on different ſides. Prejudice againſt, or in favour of the perſon, is apt to warp our opinion. It requires attention and candour to diſtinguiſh the good from the ill, and, without favour or prejudice, to form a clear and impartial judgment. In this we may be greatly aided by inſtruction.

He muſt be very ignorant of human nature, who does not perceive that the ſeed of virtue in the mind of man, like that of a tender plant in an unkindly ſoil, requires care and culture in the firſt period of life, as well as our own exertion when we come to maturity.

If the irregularities of paſſion and appetite be timely checked, and good habits planted; if we be excited by good examples, and bad examples be ſhewn in their proper colour; if the attention be prudently directed to the precepts of wiſdom and virtue, as the mind is capable of receiving them; a man thus trained will rarely be at a loſs to diſtinguiſh good from ill in his own conduct, without the labour of reaſoning.

The bulk of mankind have but little of this culture in the proper ſeaſon; and what they have is often unſkilfully applied; by which means bad habits gather ſtrength, and falſe notions of pleaſure, of honour, and of intereſt, occupy the mind. They give little attention to what is right and honeſt. Conſcience is ſeldom conſulted, and ſo little exerciſed, that its deciſions are weak and wavering. Although, therefore, to a ripe underſtanding, free from prejudice, and accuſtomed to judge of the morality of actions, moſt truths in morals will appear ſelf-evident, it does not follow that moral inſtruction is unneceſſary in the firſt part

part of life; or that it may not be very profitable in its more advanced period.

The hiſtory of paſt ages ſhews that nations, highly civilized and greatly enlightened in many arts and ſciences, may, for ages, not only hold the groſſeſt abſurdities with regard to the Deity and his worſhip, but with regard to the duty we owe to our fellow-men, particularly to children, to ſervants, to ſtrangers, to enemies, and to thoſe who differ from us in religious opinions.

Such corruptions in religion, and in morals, had ſpread ſo wide among mankind, and were ſo confirmed by cuſtom, as to require a light from heaven to correct them. Revelation was not intended to ſuperſede, but to aid the uſe of our natural faculties; and I doubt not, but the attention given to moral truths, in ſuch ſyſtems as we have mentioned, has contributed much to correct the errors and prejudices of former ages, and may continue to have the ſame good effect in time to come.

It needs not ſeem ſtrange, that ſyſtems of morals may ſwell to great magnitude, if we conſider that, although the general principles be few and ſimple, their application extends to every part of human conduct, in every condition, every relation, and every tranſaction of life. They are the rule of life to the magiſtrate and to the ſubject, to the maſter and to the ſervant, to the parent and to the child, to the fellow-citizen and to the alien, to the friend and to the enemy, to the buyer and to the ſeller, to the borrower and to the lender. Every human creature is ſubject to their authority in his actions and words, and even in his thoughts. They may, in this reſpect, be compared to the laws of motion in the natural world, which, though few and ſimple, ſerve to regulate an infinite variety of operations throughout the univerſe.

And as the beauty of the laws of motion is diſplayed in the moſt

CHAP. II. moſt ſtriking manner, when we trace them through all the variety of their effects; ſo the divine beauty and ſanctity of the principles of morals, appear moſt auguſt when we take a comprehenſive view of their application to every condition and relation, and to every tranſaction of human ſociety.

This is, or ought to be, the deſign of ſyſtems of morals. They may be made more or leſs extenſive, having no limits fixed by nature, but the wide circle of human tranſactions. When the principles are applied to theſe in detail, the detail is pleaſant and profitable. It requires no profound reaſoning, (excepting, perhaps, in a few diſputable points.) It admits of the moſt agreeable illuſtration from examples and authorities; it ſerves to exerciſe, and thereby to ſtrengthen moral judgment. And one who has given much attention to the duty of man, in all the various relations and circumſtances of life, will probably be more enlightened in his own duty, and more able to enlighten others.

The firſt writers in morals, we are acquainted with, delivered their moral inſtructions, not in ſyſtems, but in ſhort unconnected ſentences, or aphoriſms. They ſaw no need for deductions of reaſoning, becauſe the truths they delivered could not but be admitted by the candid and attentive.

Subſequent writers, to improve the way of treating this ſubject, gave method and arrangement to moral truths, by reducing them under certain diviſions and ſubdiviſions, as parts of one whole. By theſe means the whole is more eaſily comprehended and remembered, and from this arrangement gets the name of a ſyſtem and of a ſcience.

A ſyſtem of morals is not like a ſyſtem of geometry, where the ſubſequent parts derive their evidence from the preceding, and one chain of reaſoning is carried on from the beginning; ſo that, if the arrangement is changed, the chain is broken, and the

the evidence is loſt. It reſembles more a ſyſtem of botany, or mineralogy, where the ſubſequent parts depend not for their evidence upon the preceding, and the arrangement is made to facilitate apprehenſion and memory, and not to give evidence.

Morals have been methodiſed in different ways. The ancients commonly arranged them under the four cardinal virtues of prudence, temperance, fortitude, and juſtice. Chriſtian writers, I think more properly, under the three heads of the duty we owe to GOD, to ourſelves, and to our neighbour. One diviſion may be more comprehenſive, or more natural, than another; but the truths arranged are the ſame, and their evidence the ſame in all.

I ſhall only farther obſerve, with regard to ſyſtems of morals, that they have been made more voluminous, and more intricate, partly by mixing political queſtions with morals, which I think improper, becauſe they belong to a different ſcience, and are grounded on different principles; partly by making what is commonly, but I think improperly, called *the Theory of Morals*, a part of the ſyſtem.

By the theory of morals is meant a juſt account of the ſtructure of our moral powers; that is, of thoſe powers of the mind by which we have our moral conceptions, and diſtinguiſh right from wrong in human actions. This, indeed, is an intricate ſubject, and there have been various theories and much controverſy about it in ancient and in modern times. But it has little connection with the knowledge of our duty; and thoſe who differ moſt in the theory of our moral powers, agree in the practical rules of morals which they dictate.

As a man may be a good judge of colours, and of the other viſible qualities of objects, without any knowledge of the anatomy of the eye, and of the theory of viſion; ſo a man may have

CHAP. II. a very clear and comprehenſive knowledge of what is right and what is wrong in human conduct, who never ſtudied the ſtructure of our moral powers.

A good ear in muſic may be much improved by attention and practice in that art; but very little by ſtudying the anatomy of the ear, and the theory of ſound. In order to acquire a good eye or a good ear in the arts that require them, the theory of viſion and the theory of ſound, are by no means neceſſary, and indeed of very little uſe. Of as little neceſſity or uſe is what we call the theory of morals, in order to improve our moral judgment.

I mean not to depreciate this branch of knowledge. It is a very important part of the philoſophy of the human mind, and ought to be conſidered as ſuch, but not as any part of morals. By the name we give to it, and by the cuſtom of making it a part of every ſyſtem of morals, men may be led into this groſs miſtake, which I wiſh to obviate, That in order to underſtand his duty, a man muſt needs be a philoſopher and a metaphyſician.

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CHAP. III.

Of Syſtems of Natural Juriſprudence.

SYSTEMS of natural juriſprudence, of the rights of peace and war, or of the law of nature and nations, are a modern invention, which ſoon acquired ſuch reputation, as gave occaſion to many public eſtabliſhments for teaching it along with the other ſciences. It has ſo cloſe a relation to morals, that it may anſwer the purpoſe of a ſyſtem of morals, and is commonly put in the place of it, as far, at leaſt, as concerns our duty to our fellow-men. They differ in the name and form, but agree in ſubſtance. This will appear from a ſlight attention to the nature of both.

The direct intention of morals is to teach the duty of men: that of natural juriſprudence, to teach the rights of men. Right and duty are things very different, and have even a kind of oppoſition; yet they are ſo related, that the one cannot even be conceived without the other; and he that underſtands the one muſt underſtand the other.

They have the ſame relation which credit has to debt. As all credit ſuppoſes an equivalent debt; ſo all right ſuppoſes a correſponding duty. There can be no credit in one party without an equivalent debt in another party; and there can be no right in one party, without a correſponding duty in another party. The ſum of credit ſhews the ſum of debt; and the ſum of mens rights ſhews, in like manner, the ſum of their duty to one another.

The word *right* has a very different meaning, according as it is applied to actions or to perſons. A right action is an action

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agreeable to our duty. But when we ſpeak of the rights of men, the word has a very different and a more artificial meaning. It is a term of art in law, and ſignifies all that a man may lawfully do, all that he may lawfully poſſeſs and uſe, and all that he may lawfully claim of any other perſon.

This comprehenſive meaning of the word *right*, and of the Latin word *jus*, which correſponds to it, though long adopted into common language, is too artificial to be the birth of common language. It is a term of art, contrived by Civilians when th ecivil law became a profeſſion.

The whole end and object of law is to protect the ſubjects in all that they may lawfully do, or poſſeſs, or demand. This threefold object of law, Civilians have comprehended under the word *jus* or *right*, which they define, *Facultas aliquid agendi, vel poſſidendi, vel ab alio conſequendi*: A lawful claim to do any thing, to poſſeſs any thing, or to demand ſome preſtation from ſome other perſon. The firſt of theſe may be called the right of *liberty*, the ſecond that of *property*, which is alſo called a *real right*, the third is called *perſonal right*, becauſe it reſpects ſome particular perſon or perſons of whom the preſtation may be demanded.

We can be at no loſs to perceive the duties correſponding to the ſeveral kinds of rights. What I have a right to do, it is the duty of all men not to hinder me from doing. What is my property or real right, no man ought to take from me; or to moleſt me in the uſe and enjoyment of it. And what I have a right to demand of any man, it is his duty to perform. Between the right, on the one hand, and the duty, on the other, there is not only a neceſſary connection, but, in reality, they are only different expreſſions of the ſame meaning; juſt as it is the ſame thing to ſay I am your debtor, and to ſay you are my creditor; or as it is the ſame thing to ſay I am your father, and to ſay you are my ſon.

Thus

Thus we ſee, that there is ſuch a correſpondence between the rights of men and the duties of men, that the one points out the other; and a ſyſtem of the one may be ſubſtituted for a ſyſtem of the other.

But here an objection occurs. It may be ſaid, That although every right implies a duty, yet every duty does not imply a right. Thus, it may be my duty to do a humane or kind office to a man who has no claim of right to it; and therefore a ſyſtem of the rights of men, though it teach all the duties of ſtrict juſtice, yet it leaves out all the duties of charity and humanity, without which the ſyſtem of morals muſt be very lame.

In anſwer to this objection, it may be obſerved, That, as there is a ſtrict notion of juſtice, in which it is diſtinguiſhed from humanity and charity, ſo there is a more extenſive ſignification of it, in which it includes thoſe virtues. The ancient moraliſts, both Greek and Roman, under the cardinal virtue of juſtice, included beneficence; and, in this extenſive ſenſe, it is often uſed in common language. The like may be ſaid of right, which, in a ſenſe not uncommon, is extended to every proper claim of humanity and charity, as well as to the claims of ſtrict juſtice. But, as it is proper to diſtinguiſh theſe two kinds of claims by different names, writers in natural juriſprudence have given the name of *perfect* rights to the claims of ſtrict juſtice, and that of *imperfect* rights to the claims of charity and humanity. Thus, all the duties of humanity have imperfect rights correſponding to them, as thoſe of ſtrict juſtice have perfect rights.

Another objection may be, That there is ſtill a claſs of duties to which no right, perfect or imperfect, correſponds.

We are bound in duty to pay due reſpect, not only to what is truly the right of another, but to what, through ignorance or miſtake,

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miſtake, we believe to be his right. Thus, if my neighbour is poſſeſſed of a horſe which he ſtole, and to which he has no right; while I believe the horſe to be really his, and am ignorant of the theft, it is my duty to pay the ſame reſpect to this conceived right as if it were real. Here, then, is a moral obligation on one party, without any correſponding right on the other.

To ſupply this defect in the ſyſtem of rights, ſo as to make right and duty correſpond in every inſtance, writers in juriſprudence have had recourſe to ſomething like what is called a fiction of law. They give the name of *right* to the claim which even the thief hath to the goods he has ſtolen, while the theft is unknown, and to all ſimilar claims grounded on the ignorance or miſtake of the parties concerned. And to diſtinguiſh this kind of right from genuine rights, perfect or imperfect, they call it an *external* right.

Thus it appears, That although a ſyſtem of the perfect rights of men, or the rights of ſtrict juſtice, would be a lame ſubſtitute for a ſyſtem of human duty; yet when we add to it the imperfect and the external rights, it comprehends the whole duty we owe to our fellow-men.

But it may be aſked, Why ſhould men be taught their duty in this indirect way, by reflection, as it were, from the rights of other men?

Perhaps it may be thought, that this indirect way may be more agreeable to the pride of man, as we ſee that men of rank like better to hear of obligations of honour than of obligations of duty (although the dictates of true honour and of duty be the ſame); for this reaſon that honour puts a man in mind of what he owes to himſelf, whereas duty is a more humiliating idea. For a like reaſon, men may attend more willingly to their

rights,

rights, which put them in mind of their dignity, than to their duties, which ſuggeſt their dependence. And we ſee that men may give great attention to their rights who give but little to their duty. CHAP. III.

Whatever truth there may be in this, I believe better reaſons can be given why ſyſtems of natural juriſprudence have been contrived and put in the place of ſyſtems of morals.

Syſtems of civil law were invented many ages before we had any ſyſtem of natural juriſprudence; and the former ſeem to have ſuggeſted the idea of the latter.

Such is the weakneſs of human underſtanding, that no large body of knowledge can be eaſily apprehended and remembered, unleſs it be arranged and methodiſed, that is, reduced into a ſyſtem. When the laws of the Roman people were multiplied to a great degree, and the ſtudy of them became an honourable and lucrative profeſſion, it became neceſſary that they ſhould be methodiſed into a ſyſtem. And the moſt natural and obvious way of methodiſing law was found to be according to the diviſions and ſubdiviſions of mens rights, which it is the intention of law to protect.

The ſtudy of law produced not only ſyſtems of law, but a language proper for expreſſing them. Every art has its terms of art for expreſſing the conceptions that belong to it; and the Civilian muſt have terms for expreſſing accurately the diviſions and ſubdiviſions of rights, and the various ways whereby they may be acquired, transferred, or extinguiſhed, in the various tranſactions of civil ſociety. He muſt have terms accurately defined, for the various crimes by which mens rights are violated, not to ſpeak of the terms which expreſs the different forms of actions at law, and the various ſteps of the procedure of judicatories.

Thoſe

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Thoſe who have been bred to any profeſſion are very prone to uſe the terms of their profeſſion in ſpeaking or writing on ſubjects that have any analogy to it. And they may do ſo with advantage, as terms of art are commonly more preciſe in their ſignification, and better defined, than the words of common language. To ſuch perſons it is alſo very natural to model and arrange other ſubjects, as far as their nature admits, into a method ſimilar to that of the ſyſtem which fills their minds.

It might, therefore, be expected, that a Civilian, intending to give a detailed ſyſtem of morals, would uſe many of the terms of civil law, and mould it, as far as it can be done, into the form of a ſyſtem of law, or of the rights of mankind.

The neceſſary and cloſe relation of right to duty, which we before obſerved, juſtified this: And moral duty had long been conſidered as a *law of nature*; a law, not wrote on tables of ſtone or braſs, but on the heart of man; a law of greater antiquity and higher authority than the laws of particular ſtates; a law which is binding upon all men of all nations, and therefore is called by CICERO *the law of nature and of nations*.

The idea of a ſyſtem of this law was worthy of the genius of the immortal HUGO GROTIUS, and he was the firſt who executed it in ſuch a manner as to draw the attention of the learned in all the European nations; and to give occaſion to ſeveral princes and ſtates to eſtabliſh public profeſſions for the teaching of this law.

The multitude of commentators and annotators upon this work of GROTIUS, and the public eſtabliſhments to which it gave occaſion, are ſufficient vouchers of its merit.

It is, indeed, a work ſo well deſigned, and ſo ſkilfully executed; ſo free from the ſcholaſtic jargon which infected the learned

learned at that time, ſo much addreſſed to the common ſenſe and moral judgment of mankind, and ſo agreeably illuſtrated by examples from ancient hiſtory, and authorities from the ſentiments of ancient authors, Heathen and Chriſtian, that it muſt always be eſteemed as the capital work of a great genius upon a moſt important ſubject.

The utility of a juſt ſyſtem of natural juriſprudence appears, 1. As it is a ſyſtem of the moral duty we owe to men, which, by the aid they have taken from the terms and diviſions of the civil law, has been given more in detail and more ſyſtematically by writers in natural juriſprudence than it was formerly. 2. As it is the beſt preparation for the ſtudy of law, being, as it were, caſt in the mould, and uſing and explaining many of the terms of the civil law, on which the law of moſt of the European nations is grounded. 3. It is of uſe to lawgivers, who ought to make their laws as agreeable as poſſible to the law of nature. And as laws made by men, like all human works, muſt be imperfect, it points out the errors and imperfections of human laws. 4. To judges and interpreters of the law it is of uſe, becauſe that interpretation ought to be preferred which is founded in the law of nature. 5. It is of uſe in civil controverſies between ſtates, or between individuals who have no common ſuperior. In ſuch controverſies, the appeal muſt be made to the law of nature; and the ſtandard ſyſtems of it, particularly that of GROTIUS, have great authority. And, 6. to ſay no more upon this point, It is of great uſe to ſovereigns and ſtates who are above all human laws, to be ſolemnly admoniſhed of the conduct they are bound to obſerve to their own ſubjects, to the ſubjects of other ſtates, and to one another, in peace and in war. The better and the more generally the law of nature is underſtood, the greater diſhonour, in public eſtimation, will follow every violation of it.

Some authors have imagined, that ſyſtems of natural juriſpru-

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dence ought to be confined to the perfect rights of men, because the duties which correſpond to the imperfect rights, the duties of charity and humanity cannot be enforced by human laws, but muſt be left to the judgment and conſcience of men, free from compulſion. But the ſyſtems which have had the greateſt applauſe of the public, have not followed this plan, and, I conceive, for good reaſons. *Firſt*, Becauſe a ſyſtem of perfect rights could by no means ſerve the purpoſe of a ſyſtem of morals, which ſurely is an important purpoſe. *Secondly*, Becauſe, in many caſes, it is hardly poſſible to fix the preciſe limit between juſtice and humanity, between perfect and imperfect right. Like the colours in a priſmatic image, they run into each other, ſo that the beſt eye cannot fix the preciſe boundary between them. *Thirdly*, As wiſe legiſlators and magiſtrates ought to have it as their end to make the citizens good, as well as juſt, we find, in all civilized nations, laws that are intended to encourage the duties of humanity. Where human laws cannot enforce them by puniſhments, they may encourage them by rewards. Of this the wiſeſt legiſlators have given examples; and how far this branch of legiſlation may be carried, no man can foreſee.

The ſubſtance of the four following chapters was wrote long ago, and read in a literary ſociety, with a view to juſtify ſome points of morals from metaphyſical objections urged againſt them in the writings of DAVID HUME, Eſq. If they anſwer that end, and, at the ſame time, ſerve to illuſtrate the account I have given of our moral powers, it is hoped that the reader will not think them improperly placed here; and that he will forgive ſome repetitions, and perhaps anachroniſms, occaſioned by their being wrote at different times, and on different occaſions.

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Whether an Action deſerving Moral Approbation, muſt be done with the belief of its being morally good.

THERE is no part of philoſophy more ſubtile and intricate than that which is called *The Theory of Morals.* Nor is there any more plain and level to the apprehenſion of man than the practical part of morals.

In the former, the Epicurean, the Peripatetic and the Stoic, had each his different ſyſtem of old; and almoſt every modern author of reputation has a ſyſtem of his own. At the ſame time, there is no branch of human knowledge, in which there is ſo general an agreement among ancients and moderns, learned and unlearned, as in the practical rules of morals.

From this diſcord in the theory, and harmony in the practical part, we may judge, that the rules of morality ſtand upon another and a firmer foundation than the theory. And of this it is eaſy to perceive the reaſon.

For, in order to know what is right and what is wrong in human conduct, we need only liſten to the dictates of our conſcience when the mind is calm and unruffled, or attend to the judgment we form of others in like circumſtances. But, to judge of the various theories of morals, we muſt be able to analyze and diſſect, as it were, the active powers of the human mind, and eſpecially to analyze accurately that conſcience or moral power by which we diſcern right from wrong.

The conſcience may be compared to the eye in this, as in many

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other reſpects. The learned and the unlearned ſee objects with equal diſtinctneſs. The former have no title to dictate to the latter, as far as the eye is judge, nor is there any diſagreement about ſuch matters. But, to diſſect the eye, and to explain the theory of viſion, is a difficult point, wherein the moſt ſkilful have differed.

From this remarkable diſparity between our deciſions in the theory of morals and in the rules of morality, we may, I think, draw this concluſion, That wherever we find any diſagreement between the practical rules of morality, which have been received in all ages, and the principles of any of the theories advanced upon this ſubject, the practical rules ought to be the ſtandard by which the theory is to be corrected, and that it is both unſafe and unphiloſophical to warp the practical rules, in order to make them tally with a favourite theory.

The queſtion to be conſidered in this chapter belongs to the practical part of morals, and therefore is capable of a more eaſy and more certain determination. And, if it be determined in the affirmative, I conceive that it may ſerve as a touchſtone to try ſome celebrated theories which are inconſiſtent with that determination, and which have led the theoriſts to oppoſe it by very ſubtile metaphyſical arguments.

Every queſtion about what is or is not the proper object of moral approbation, belongs to practical morals, and ſuch is the queſtion now under conſideration: Whether actions deſerving moral approbation muſt be done with the belief of their being morally good? Or, Whether an action, done without any regard to duty or to the dictates of conſcience, can be entitled to moral approbation?

In every action of a moral agent, his conſcience is either altogether ſilent, or it pronounces the action to be good, or bad,

or

or indifferent. This, I think, is a complete enumeration. If it be perfectly ſilent, the action muſt be very trifling, or appear ſo. For conſcience, in thoſe who have exerciſed it, is a very pragmatical faculty, and meddles with every part of our conduct, whether we deſire its counſel or not. And what a man does in perfect ſimplicity, without the leaſt ſuſpicion of its being bad, his heart cannot condemn him for, nor will he that knows the heart condemn him. If there was any previous culpable negligence or inattention which led him to a wrong judgment, or hindered his forming a right one, that I do not exculpate. I only conſider the action done, and the diſpoſition with which it was done, without its previous circumſtances. And in this there appears nothing that merits diſapprobation. As little can it merit any degree of moral approbation, becauſe there was neither good nor ill intended. And the ſame may be ſaid when conſcience pronounces the action to be indifferent.

If, in the *ſecond* place, I do what my conſcience pronounces to be bad or dubious, I am guilty to myſelf, and juſtly deſerve the diſapprobation of others. Nor am I leſs guilty in this caſe, though what I judged to be bad ſhould happen to be good or indifferent. I did it believing it to be bad, and this is an immorality.

Laſtly, If I do what my conſcience pronounces to be right and my duty, either I have ſome regard to duty, or I have none. The laſt is not ſuppoſable; for I believe there is no man ſo abandoned, but that he does what he believes to be his duty, with more aſſurance and alacrity upon that account. The more weight the rectitude of the action has in determining me to do it, the more I approve of my own conduct. And if my worldly intereſt, my appetites or inclinations draw me ſtrongly the contrary way, my following the dictates of my conſcience, in oppoſition to theſe motives, adds to the moral worth of the action.

When

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When a man acts from an erroneous judgment, if his error be invincible, all agree that he is inculpable: But if his error be owing to ſome previous negligence or inattention, there ſeems to be ſome difference among moraliſts. This difference, however, is only ſeeming, and not real. For wherein lies the fault in this caſe? It muſt be granted by all, that the fault lies in this, and ſolely in this, that he was not at due pains to have his judgment well informed. Thoſe moraliſts, therefore, who conſider the action and the previous conduct that led to it as one whole, find ſomething to blame in the whole; and they do ſo moſt juſtly. But thoſe who take this whole to pieces, and conſider what is blameable and what is right in each part, find all that is blameable in what preceded this wrong judgment, and nothing but what is approvable in what followed it.

Let us ſuppoſe, for inſtance, that a man believes that God has indiſpenſably required him to obſerve a very rigorous faſt in Lent; and that, from a regard to this ſuppoſed Divine command, he faſts in ſuch manner as is not only a great mortification to his appetite, but even hurtful to his health.

His ſuperſtitious opinion may be the effect of a culpable negligence, for which he can by no means be juſtified. Let him, therefore, bear all the blame upon this account that he deſerves. But now, having this opinion fixed in his mind, ſhall he act according to it or againſt it? Surely we cannot hesitate a moment in this caſe. It is evident, that, in following the light of his judgment, he acts the part of a good and pious man; whereas, in acting contrary to his judgment, he would be guilty of wilful diſobedience to his Maker.

If my ſervant, by miſtaking my orders, does the contrary of what I commanded, believing, at the ſame time, that he obeys my orders, there may be ſome fault in his miſtake, but to charge him

him with the crime of diſobedience, would be inhuman and unjuſt. CHAP. IV.

Theſe determinations appear to me to have intuitive evidence, no leſs than that of mathematical axioms. A man who is come to years of underſtanding, and who has exerciſed his faculties in judging of right and wrong, ſees their truth as he ſees day-light. Metaphyſical arguments brought againſt them have the ſame effect as when brought againſt the evidence of ſenſe; they may puzzle and confound, but they do not convince. It appears evident, therefore, that thoſe actions only can truly be called virtuous, or deſerving of moral approbation, which the agent believed to be right, and to which he was influenced, more or leſs, by that belief.

If it ſhould be objected, That this principle makes it to be of no conſequence to a man's morals, what his opinions may be, providing he acts agreeably to them, the anſwer is eaſy.

Morality requires, not only that a man ſhould act according to his judgment, but that he ſhould uſe the beſt means in his power that his judgment be according to truth. If he fail in either of theſe points, he is worthy of blame; but, if he fail in neither, I ſee not wherein he can be blamed.

When a man muſt act, and has no longer time to deliberate, he ought to act according to the light of his conſcience, even when he is in an error. But, when he has time to deliberate, he ought ſurely to uſe all the means in his power to be rightly informed. When he has done ſo, he may ſtill be in an error; but it is an invincible error, and cannot juſtly be imputed to him as a fault.

A *ſecond* objection is, That we immediately approve of benevolence, gratitude, and other primary virtues, without enquiring whether

CHAP. IV. whether they are practiſed from a perſuaſion that they are our duty. And the laws of GOD place the ſum of virtue in loving GOD and our neighbour, without any proviſion that we do it from a perſuaſion that we ought to do ſo.

The anſwer to this objection is, That the love of GOD, the love of our neighbour, juſtice, gratitude, and other primary virtues, are, by the conſtitution of human nature, neceſſarily accompanied with a conviction of their being morally good. We may therefore ſafely preſume, that theſe things are never diſjoined, and that every man who practiſes theſe virtues does it with a good conſcience. In judging of mens conduct, we do not ſuppoſe things which cannot happen, nor do the laws of GOD give deciſions upon impoſſible caſes, as they muſt have done, if they ſuppoſed the caſe of a man who thought it contrary to his duty to love GOD or to love mankind.

But if we wiſh to know how the laws of GOD determine the point in queſtion, we ought to obſerve their deciſion with regard to ſuch actions as may appear good to one man and ill to another. And here the deciſions of ſcripture are clear: *Let every man be perſuaded in his own mind. He that doubteth is condemned if he eat, becauſe he eateth not of faith, for whatſoever is not of faith is ſin. To him that eſteemeth any thing to be unclean, it is unclean.* The ſcripture often placeth the ſum of virtue in *living in all good conſcience,* in acting ſo *that our hearts condemn us not.*

The laſt objection I ſhall mention is a metaphyſical one urged by Mr HUME.

It is a favourite point in his ſyſtem of morals, That juſtice is not a natural but an artificial virtue. To prove this, he has exerted the whole ſtrength of his reaſon and eloquence. And as the principle we are conſidering ſtood in his way, he takes pains to refute it.

" Suppoſe,

" Suppoſe, ſays he, a perſon to have lent me a ſum of mo-
" ney, on condition that it be reſtored in a few days. After
" the expiration of the term he demands the ſum. I aſk, what
" reaſon or motive have I to reſtore the money? It will per-
" haps be ſaid, That my regard to juſtice and abhorrence of
" villany and knavery are ſufficient reaſons for me." And this, he acknowledges, would be a ſatisfactory anſwer to a man in his civilized ſtate, and when trained up according to a certain diſcipline and education. " But in his rude and more natural
" condition, ſays he, if you are pleaſed to call ſuch a condition
" natural, this anſwer would be rejected as perfectly unintelli-
" gible and ſophiſtical.

" For wherein conſiſts this honeſty and juſtice? Not ſurely
" in the external action. It muſt, therefore, conſiſt in the
" motive from which the external action is derived. This mo-
" tive can never be a regard to the honeſty of the action. For
" it is a plain fallacy to ſay, That a virtuous motive is requiſite
" to render an action honeſt, and, at the ſame time, that a re-
" gard to the honeſty is the motive to the action. We can
" never have a regard to the virtue of an action, unleſs the ac-
" tion be antecedently virtuous."

And, in another place, " To ſuppoſe that the mere regard to
" the virtue of the action is that which rendered it virtuous, is
" to reaſon in a circle. An action muſt be virtuous, before we
" can have a regard to its virtue. Some virtuous motive, there-
" fore, muſt be antecedent to that regard. Nor is this merely
" a metaphyſical ſubtilty," *&c. Treatiſe of Hum. Nature, book* 3. *part* 2. *ſect.* 1.

I am not to conſider at this time, how this reaſoning is applied to ſupport the author's opinion, That juſtice is not a natural but an artificial virtue. I conſider it only as far as it oppoſes the principle I have been endeavouring to eſtabliſh, That,

CHAP. IV. to render an action truly virtuous, the agent must have some regard to its rectitude. And I conceive the whole force of the reasoning amounts to this:

When we judge an action to be good or bad, it must have been so in its own nature antecedent to that judgment, otherwise the judgment is erroneous. If, therefore, the action be good in its nature, the judgment of the agent cannot make it bad, nor can his judgment make it good if, in its nature, it be bad. For this would be to ascribe to our judgment a strange magical power to transform the nature of things, and to say, that my judging a thing to be what it is not, makes it really to be what I erroneously judge it to be. This, I think, is the objection in its full strength. And, in answer to it,

First, If we could not loose this metaphysical knot, I think we might fairly and honestly cut it, because it fixes an absurdity upon the clearest and most indisputable principles of morals and of common sense. For I appeal to any man whether there be any principle of morality, or any principle of common sense, more clear and indisputable than that which we just now quoted from the Apostle PAUL, That although a thing be not unclean in itself, yet to him that esteemeth it to be unclean, to him it is unclean. But the metaphysical argument makes this absurd. For, says the metaphysician, If the thing was not unclean in itself, you judged wrong in esteeming it to be unclean; and what can be more absurd, than that your esteeming a thing to be what it is not, should make it what you erroneously esteem it to be?

Let us try the edge of this argument in another instance. Nothing is more evident, than that an action does not merit the name of benevolent, unless it be done from a belief that it tends to promote the good of our neighbour. But this is absurd, says the metaphysician. For, if it be not a benevolent action

action in itſelf, your belief of its tendency cannot change its nature. It is abſurd, that your erroneous belief ſhould make the action to be what you believe it to be. Nothing is more evident, than that a man who tells the truth, believing it to be a lie, is guilty of falſehood; but the metaphyſician would make this to be abſurd.

In a word, if there be any ſtrength in this argument, it would follow, That a man might be, in the higheſt degree, virtuous, without the leaſt regard to virtue; that he might be very benevolent, without ever intending to do a good office; very malicious, without ever intending any hurt; very revengeful, without ever intending to retaliate an injury; very grateful, without ever intending to return a benefit; and a man of ſtrict veracity, with an intention to lie. We might, therefore, reject this reaſoning, as repugnant to ſelf-evident truths, though we were not able to point out the fallacy of it.

2. But let us try, in the *ſecond* place, whether the fallacy of this argument may not be diſcovered.

We aſcribe moral goodneſs to actions conſidered abſtractly, without any relation to the agent. We likewiſe aſcribe moral goodneſs to an agent on account of an action he has done; we call it a good action, though, in this caſe, the goodneſs is properly in the man, and is only by a figure aſcribed to the action. Now, it is to be conſidered, whether *moral goodneſs*, when applied to an action conſidered abſtractly, has the ſame meaning as when we apply it to a man on account of that action; or whether we do not unawares change the meaning of the word, according as we apply it to the one or to the other.

The action, conſidered abſtractly, has neither underſtanding nor will; it is not accountable, nor can it be under any moral obligation. But all theſe things are eſſential to that moral good-

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neſs which belongs to a man; for, if a man had not underſtanding and will, he could have no moral goodneſs. Hence it follows neceſſarily, that the moral goodneſs which we aſcribe to an action conſidered abſtractly, and that which we aſcribe to a perſon for doing that action, are not the ſame. The meaning of the word is changed when it is applied to theſe different ſubjects.

This will be more evident, when we conſider what is meant by the moral goodneſs which we aſcribe to a man for doing an action, and what by the goodneſs which belongs to the action conſidered abſtractly. A good action in a man is that in which he applied his intellectual powers properly, in order to judge what he ought to do, and acted according to his beſt judgment. This is all that can be required of a moral agent; and in this his moral goodneſs, in any good action, conſiſts. But is this the goodneſs which we aſcribe to an action conſidered abſtractly? No, ſurely. For the action, conſidered abſtractly, is neither endowed with judgment nor with active power; and, therefore, can have none of that goodneſs which we aſcribe to the man for doing it.

But what do we mean by goodneſs in an action conſidered abſtractly? To me it appears to lie in this, and in this only, That it is an action which ought to be done by thoſe who have the power and opportunity, and the capacity of perceiving their obligation to do it. I would gladly know of any man, what other moral goodneſs can be in an action conſidered abſtractly. And this goodneſs is inherent in its nature, and inſeparable from it. No opinion or judgment of an agent can in the leaſt alter its nature.

Suppoſe the action to be that of relieving an innocent perſon out of great diſtreſs. This ſurely has all the moral goodneſs that an action conſidered abſtractly can have. Yet it is evident, that an agent, in relieving a perſon in diſtreſs, may have no moral

moral goodneſs, may have great merit, or may have great demerit.

Suppoſe, *firſt*, That mice cut the cords which bound the diſtreſſed perſon, and ſo bring him relief. Is there moral goodneſs in this act of the mice?

Suppoſe, *ſecondly*, That a man maliciouſly relieves the diſtreſſed perſon, in order to plunge him into greater diſtreſs. In this action, there is ſurely no moral goodneſs, but much malice and inhumanity.

If, in the *laſt* place, we ſuppoſe a perſon, from real ſympathy and humanity, to bring relief to the diſtreſſed perſon, with conſiderable expence or danger to himſelf; here is an action of real worth, which every heart approves and every tongue praiſes. But wherein lies the worth? Not in the action conſidered by itſelf, which was common to all the three, but in the man who, on this occaſion, acted the part which became a good man. He did what his heart approved, and therefore he is approved by GOD and man.

Upon the whole, if we diſtinguiſh between that goodneſs which may be aſcribed to an action conſidered by itſelf, and that goodneſs which we aſcribe to a man when he puts it in execution, we ſhall find a key to this metaphyſical lock. We admit, that the goodneſs of an action, conſidered abſtractly, can have no dependence upon the opinion or belief of an agent, any more than the truth of a propoſition depends upon our believing it to be true. But, when a man exerts his active power well or ill, there is a moral goodneſs or turpitude which we figuratively impute to the action, but which is truly and properly imputable to the man only; and this goodneſs or turpitude depends very much upon the intention of the agent, and the opinion he had of his action.

This

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This diſtinction has been underſtood in all ages by thoſe who gave any attention to morals, though it has been variouſly expreſſed. The Greek moraliſts gave the name of καθῆκον to an action good in itſelf; ſuch an action might be done by the moſt worthleſs. But an action done with a right intention, which implies real worth in the agent, they called κατόρθωμα. The diſtinction is explained by CICERO in his Offices. He calls the firſt *officium medium*, and the ſecond *officium perfectum*, or *rectum*. In the ſcholaſtic ages, an action good in itſelf was ſaid to be *materially* good, and an action done with a right intention was called *formally* good. This laſt way of expreſſing the diſtinction is ſtill familiar among Theologians; but Mr HUME ſeems not to have attended to it, or to have thought it to be words without any meaning.

Mr HUME, in the ſection already quoted, tells us with great aſſurance, "In ſhort, it may be eſtabliſhed as an undoubted "maxim, that no action can be virtuous or morally good, un- "leſs there be in human nature ſome motive to produce it, di- "ſtinct from the ſenſe of its morality." And upon this maxim he founds many of his reaſonings on the ſubject of morals.

Whether it be conſiſtent with Mr HUME's own ſyſtem, that an action may be produced merely from the ſenſe of its morality, without any motive of agreeableneſs or utility, I ſhall not now enquire. But, if it be true, and I think it evident to every man of common underſtanding, that a judge or an arbiter acts the moſt virtuous part when his ſentence is produced by no other motive but a regard to juſtice and a good conſcience; nay, when all other motives diſtinct from this are on the other ſide: If this I ſay be true, then that undoubted maxim of Mr HUME muſt be falſe, and all the concluſions built upon it muſt fall to the ground.

From the principle I have endeavoured to eſtabliſh, I think ſome

ſome conſequences may be drawn with regard to the theory of morals. CHAP. IV.

Firſt, If there be no virtue without the belief that what we do is right, it follows, That a moral faculty, that is, a power of diſcerning moral goodneſs and turpitude in human conduct, is eſſential to every being capable of virtue or vice. A being who has no more conception of moral goodneſs and baſeneſs, of right and wrong, than a blind man hath of colours, can have no regard to it in his conduct, and therefore can neither be virtuous nor vicious.

He may have qualities that are agreeable or diſagreeable, uſeful or hurtful; ſo may a plant or a machine. And we ſometimes uſe the word *virtue* in ſuch a latitude as to ſignify any agreeable or uſeful quality, as when we ſpeak of the virtues of plants. But we are now ſpeaking of virtue in the ſtrict and proper ſenſe, as it ſignifies that quality in a man which is the object of moral approbation.

This virtue a man could not have, if he had not a power of diſcerning a right and a wrong in human conduct, and of being influenced by that diſcernment. For in ſo far only he is virtuous as he is guided in his conduct by that part of his conſtitution. Brutes do not appear to have any ſuch power, and therefore are not moral or accountable agents. They are capable of culture and diſcipline, but not of virtuous or criminal conduct. Even human creatures, in infancy and non-age, are not moral agents, becauſe their moral faculty is not yet unfolded. Theſe ſentiments are ſupported by the common ſenſe of mankind, which has always determined, that neither brutes nor infants can be indicted for crimes.

It is of ſmall conſequence what name we give to this moral power of the human mind; but it is ſo important a part of our conſtitution,

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conſtitution, as to deſerve an appropriated name. The name of *conſcience*, as it is the moſt common, ſeems to me as proper as any that has been given it. I find no fault with the name *moral ſenſe*, although I conceive this name has given occaſion to ſome miſtakes concerning the nature of our moral power. Modern Philoſophers have conceived of the external ſenſes as having no other office but to give us certain ſenſations, or ſimple conceptions, which we could not have without them. And this notion has been applied to the moral ſenſe. But it ſeems to me a miſtaken notion in both. By the ſenſe of ſeeing, I not only have the conception of the different colours, but I perceive one body to be of this colour, another of that. In like manner, by my moral ſenſe, I not only have the conceptions of right and wrong in conduct, but I perceive *this* conduct to be right, *that* to be wrong, and *that* indifferent. All our ſenſes are judging faculties, ſo alſo is conſcience. Nor is this power only a judge of our own actions and thoſe of others, it is likewiſe a principle of action in all good men; and ſo far only can our conduct be denominated virtuous, as it is influenced by this principle.

A *ſecond* conſequence from the principle laid down in this chapter is, That the formal nature and eſſence of that virtue which is the object of moral approbation conſiſts neither in a prudent proſecution of our private intereſt, nor in benevolent affections towards others, nor in qualities uſeful or agreeable to ourſelves or to others, nor in ſympathizing with the paſſions and affections of others, and in attuning our own conduct to the tone of other mens paſſions; but it conſiſts in living in all good conſcience, that is, in uſing the beſt means in our power to know our duty, and acting accordingly.

Prudence is a virtue, benevolence is a virtue, fortitude is a virtue; but the eſſence and formal nature of virtue muſt lie in ſomething that is common to all theſe, and to every other virtue. And this I conceive can be nothing elſe but the rectitude of

of ſuch conduct and turpitude of the contrary, which is diſcerned by a good man. And ſo far only he is virtuous as he purſues the former and avoids the latter. CHAP. V.

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Whether Juſtice be a Natural or an Artificial Virtue.

MR HUME's philoſophy concerning morals was firſt preſented to the world in the third volume of his *Treatiſe of Human Nature*, in the year 1740; afterwards in his *Enquiry concerning the Principles of Morals*, which was firſt publiſhed by itſelf, and then in ſeveral editions of his *Eſſays and Treatiſes*.

In theſe two works on morals the ſyſtem is the ſame. A more popular arrangement, great embelliſhment, and the omiſſion of ſome metaphyſical reaſonings, have given a preference in the public eſteem to the laſt; but I find neither any new principles in it, nor any new arguments in ſupport of the ſyſtem common to both.

In this ſyſtem, the proper object of moral approbation is not actions or any voluntary exertion, but qualities of mind; that is, natural affections or paſſions, which are involuntary, a part of the conſtitution of the man, and common to us with many brute-animals. When we praiſe or blame any voluntary action, it is only conſidered as a ſign of the natural affection from which it flows, and from which all its merit or demerit is derived.

Moral approbation or diſapprobation is not an act of the judgment, which, like all acts of judgment, muſt be true or falſe, it is only a certain feeling, which, from the conſtitution of hu-

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This feeling, when agreeable, is moral approbation; when diſagreeable, diſapprobation. The qualities of mind which produce this agreeable feeling are the moral virtues, and thoſe that produce the diſagreeable, the vices.

Theſe preliminaries being granted, the queſtion about the foundation of morals is reduced to a ſimple queſtion of fact, to wit, What are the qualities of mind which produce, in the diſintereſted obſerver, the feeling of approbation, or the contrary feeling?

In anſwer to this queſtion, the author endeavours to prove, by a very copious induction, That all perſonal merit, all virtue, all that is the object of moral approbation, conſiſts in the qualities of mind which are *agreeable* or *uſeful* to the perſon who poſſeſſes them, or to others.

The *dulce* and the *utile* is the whole ſum of merit in every character, in every quality of mind, and in every action of life. There is no room left for that *honeſtum* which CICERO thus defines, *Honeſtum igitur id intelligimus, quod tale eſt, ut detracta omni utilitate, ſine ullis premiis fructibuſve, per ſe ipſum poſſit jure laudari.*

Among the ancient moraliſts, the Epicureans were the only ſect who denied that there is any ſuch thing as *honeſtum*, or moral worth, diſtinct from pleaſure. In this Mr HUME's ſyſtem agrees with theirs. For the addition of utility to pleaſure, as a foundation of morals, makes only a verbal, but no real difference. What is uſeful only has no value in itſelf, but derives all its merit from the end for which it is uſeful. That end, in this ſyſtem, is agreeableneſs or pleaſure. So that, in both ſyſtems, pleaſure is the only end, the only thing that is good in itſelf,

itſelf, and deſirable for its own ſake; and virtue derives all its merit from its tendency to produce pleaſure. CHAP. V.

Agreeableneſs and utility are not moral conceptions, nor have they any connection with morality. What a man does, merely becauſe it is agreeable, or uſeful to procure what is agreeable, is not virtue. Therefore the Epicurean ſyſtem was juſtly thought by CICERO, and the beſt moraliſts among the ancients, to ſubvert morality, and to ſubſtitute another principle in its room; and this ſyſtem is liable to the ſame cenſure.

In one thing, however, it differs remarkably from that of EPICURUS. It allows, that there are diſintereſted affections in human nature; that the love of children and relations, friendſhip, gratitude, compaſſion and humanity, are not, as EPICURUS maintained, different modifications of ſelf-love, but ſimple and original parts of the human conſtitution; that when intereſt, or envy, or revenge, pervert not our diſpoſition, we are inclined, from natural philanthropy, to deſire, and to be pleaſed with the happineſs of the human kind.

All this, in oppoſition to the Epicurean ſyſtem, Mr HUME maintains with great ſtrength of reaſon and eloquence, and, in this reſpect, his ſyſtem is more liberal and diſintereſted than that of the Greek Philoſopher. According to EPICURUS, virtue is whatever is agreeable to ourſelves. According to Mr HUME, every quality of mind that is agreeable or uſeful to ourſelves or to others.

This theory of the nature of virtue, it muſt be acknowledged, enlarges greatly the catalogue of moral virtues, by bringing into that catalogue every quality of mind that is uſeful or agreeable. Nor does there appear any good reaſon why the uſeful and agreeable qualities of body and of fortune, as well as thoſe of the mind, ſhould not have a place among moral virtues in

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this ſyſtem. They have the eſſence of virtue; that is, agreeableneſs and utility, why then ſhould they not have the name?

But, to compenſate this addition to the moral virtues, one claſs of them ſeems to be greatly degraded and deprived of all intrinſic merit. The uſeful virtues, as was above obſerved, are only miniſtering ſervants of the agreeable, and purveyors for them; they muſt, therefore, be ſo far inferior in dignity, as hardly to deſerve the ſame name.

Mr HUME, however, gives the name of *virtue* to both; and to diſtinguiſh them, calls the agreeable qualities *natural* virtues, and the uſeful *artificial*.

The natural virtues are thoſe natural affections of the human conſtitution which give immediate pleaſure in their exerciſe. Such are all the benevolent affections. Nature diſpoſes to them, and from their own nature they are agreeable, both when we exerciſe them ourſelves, and when we contemplate their exerciſe in others.

The artificial virtues are ſuch as are eſteemed ſolely on account of their utility, either to promote the good of ſociety, as juſtice, fidelity, honour, veracity, allegiance, chaſtity; or on account of their utilty to the poſſeſſor, as induſtry, diſcretion, frugality, ſecrecy, order, perſeverance, forethought, judgment, and others, of which, he ſays, many pages could not contain the catalogue.

This general view of Mr HUME's ſyſtem concerning the foundation of morals, ſeemed neceſſary, in order to underſtand diſtinctly the meaning of that principle of his, which is to be the ſubject of this chapter, and on which he has beſtowed much labour, to wit, that juſtice is not a natural but an artificial virtue.

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This ſyſtem of the foundation of virtue is ſo contradictory in many of its eſſential points to the account we have before given of the active powers of human nature, that, if the one be true, the other muſt be falſe.

If GOD has given to man a power which we call *conſcience*, the *moral faculty*, the *ſenſe of duty*, by which, when he comes to years of underſtanding, he perceives certain things that depend on his will to be his duty, and other things to be baſe and unworthy; if the notion of duty be a ſimple conception, of its own kind, and of a different nature from the conceptions of utility and agreeableneſs, of intereſt or reputation; if this moral faculty be the prerogative of man, and no veſtige of it be found in brute-animals; if it be given us by GOD to regulate all our animal affections and paſſions; if to be governed by it be the glory of man and the image of GOD in his ſoul, and to diſregard its dictates be his diſhonour and depravity: I ſay, if theſe things be ſo, to ſeek the foundation of morality in the affections which we have in common with the brutes, is to ſeek the living among the dead, and to change the glory of man, and the image of GOD in his ſoul, into the ſimilitude of an ox that eateth graſs.

If virtue and vice be a matter of choice, they muſt conſiſt in voluntary actions, or in fixed purpoſes of acting according to a certain rule when there is opportunity, and not in qualities of mind which are involuntary.

It is true, that every virtue is both agreeable and uſeful in the higheſt degree; and that every quality that is agreeable or uſeful, has a merit upon that account. But virtue has a merit peculiar to itſelf, a merit which does not ariſe from its being uſeful or agreeable, but from its being virtue. This merit is diſcerned by the ſame faculty by which we diſcern it to be virtue, and by no other.

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We give the name of *eſteem* both to the regard we have for things uſeful and agreeable, and to the regard we have for virtue; but theſe are different kinds of eſteem. I eſteem a man for his ingenuity and learning. I eſteem him for his moral worth. The ſound of *eſteem* in both theſe ſpeeches is the ſame, but its meaning is very different.

Good breeding is a very amiable quality; and even if I knew that the man had no motive to it but its pleaſure and utility to himſelf and others, I ſhould like it ſtill, but I would not in that caſe call it a moral virtue.

A dog has a tender concern for her puppies; ſo has a man for his children. The natural affection is the ſame in both, and is amiable in both. But why do we impute moral virtue to the man on account of this concern, and not to the dog? The reaſon ſurely is, That, in the man, the natural affection is accompanied with a ſenſe of duty, but, in the dog, it is not. The ſame thing may be ſaid of all the kind affections common to us with the brutes. They are amiable qualities, but they are not moral virtues.

What has been ſaid relates to Mr HUME's ſyſtem in general. We are now to conſider his notion of the particular virtue of juſtice, that its merit conſiſts wholly in its utility to ſociety.

That juſtice is highly uſeful and neceſſary in ſociety, and, on that account, ought to be loved and eſteemed by all that love mankind, will readily be granted. And as juſtice is a ſocial virtue, it is true alſo, that there could be no exerciſe of it, and perhaps we ſhould have no conception of it, without ſociety. But this is equally true of the natural affections of benevolence, gratitude, friendſhip and compaſſion, which Mr HUME makes to be the natural virtues.

It may be granted to Mr HUME, that men have no conception

tion of the virtue of juſtice till they have lived ſome time in ſociety. It is purely a moral conception, and our moral conceptions and moral judgments are not born with us. They grow up by degrees, as our reaſon does. Nor do I pretend to know how early, or in what order we acquire the conception of the ſeveral virtues. The conception of juſtice ſuppoſes ſome exerciſe of the moral faculty, which, being the nobleſt part of the human conſtitution, and that to which all its other parts are ſubſervient, appears lateſt.

It may likewiſe be granted, that there is no animal affection in human nature that prompts us immediately to acts of juſtice, as ſuch. We have natural affections of the animal kind, which immediately prompt us to acts of kindneſs; but none, that I know, that has the ſame relation to juſtice. The very conception of juſtice ſuppoſes a moral faculty; but our natural kind affections do not; otherwiſe we muſt allow that brutes have this faculty.

What I maintain is, *firſt*, That when men come to the exerciſe of their moral faculty, they perceive a turpitude in injuſtice, as they do in other crimes, and conſequently an obligation to juſtice, abſtracting from the conſideration of its utility. And, *ſecondly*, That as ſoon as men have any rational conception of a favour, and of an injury, they muſt have the conception of juſtice, and perceive its obligation diſtinct from its utility.

The firſt of theſe points hardly admits of any other proof, but an appeal to the ſentiments of every honeſt man, and every man of honour, Whether his indignation is not immediately inflamed againſt an atrocious act of villany, without the cool conſideration of its diſtant conſequences upon the good of ſociety?

We might appeal even to robbers and pirates, Whether they have

CHAP. V. have not had great ſtruggles with their conſcience, when they firſt reſolved to break through all the rules of juſtice? And whether, in a ſolitary and ſerious hour, they have not frequently felt the pangs of guilt? They have very often confeſſed this at a time when all diſguiſe is laid aſide.

The common good of ſociety, though a pleaſing object to all men, when preſented to their view, hardly ever enters into the thoughts of the far greateſt part of mankind; and, if a regard to it were the ſole motive to juſtice, the number of honeſt men muſt be ſmall indeed. It would be confined to the higher ranks, who, by their education, or by their office, are led to make the public good an object; but that it is ſo confined, I believe no man will venture to affirm.

The temptations to injuſtice are ſtrongeſt in the loweſt claſs of men; and if nature had provided no motive to oppoſe thoſe temptations, but a ſenſe of public good, there would not be found an honeſt man in that claſs.

To all men that are not greatly corrupted, injuſtice, as well as cruelty and ingratitude, is an object of diſapprobation on its own account. There is a voice within us that proclaims it to be baſe, unworthy, and deſerving of puniſhment.

That there is, in all ingenuous natures, an antipathy to roguery and treachery, a reluctance to the thoughts of villany and baſeneſs, we have the teſtimony of Mr HUME himſelf; who, as I doubt not but he felt it, has expreſſed it very ſtrongly in the concluſion to his enquiry, and acknowledged that, in ſome caſes, without this reluctance and antipathy to diſhoneſty, a ſenſible knave would find no ſufficient motive from public good to be honeſt.

I ſhall give the paſſage at large from the Enquiry concerning the Principles of Morals, ſection 9. near the end. CHAP. V.

"Treating vice with the greateſt candour, and making it all "poſſible conceſſions, we muſt acknowledge that there is not, "in any inſtance, the ſmalleſt pretext for giving it the preference "above virtue, with a view to ſelf-intereſt; except, perhaps, "in the caſe of juſtice, where a man, taking things in a certain "light, may often ſeem to be a loſer by his integrity. And "though it is allowed that, without a regard to property, no ſo-"ciety could ſubſiſt; yet, according to the imperfect way in which "human affairs are conducted, a ſenſible knave, in particular in-"cidents, may think, that an act of iniquity or infidelity will "make a conſiderable addition to his fortune, without cauſing "any conſiderable breach in the ſocial union and confederacy. "That *honeſty is the beſt policy*, may be a good general rule, but "it is liable to many exceptions: And he, it may perhaps be "thought, conducts himſelf with moſt wiſdom, who obſerves "the general rule, and takes advantage of all the exceptions.

"I muſt confeſs that, if a man think that this reaſoning much "requires an anſwer, it will be a little difficult to find any, "which will to him appear ſatisfactory and convincing. If his "heart rebel not againſt ſuch pernicious maxims, if he feel no "reluctance to the thoughts of villany and baſeneſs, he has in-"deed loſt a conſiderable motive to virtue, and we may expect "that his practice will be anſwerable to his ſpeculation. But "in all ingenuous natures, the antipathy to treachery and ro-"guery is too ſtrong to be counterbalanced by any views of "profit or pecuniary advantage. Inward peace of mind, conſci-"ouſneſs of integrity, a ſatisfactory review of our own conduct; "theſe are circumſtances very requiſite to happineſs, and will "be cheriſhed and cultivated by every honeſt man who feels "the importance of them."

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The reaſoning of the *ſenſible knave* in this paſſage, ſeems to me to be juſtly founded upon the principles of the Enquiry and of the Treatiſe of Human Nature, and therefore it is no wonder, that the Author ſhould find it a little difficult to give any anſwer which would appear ſatisfactory and convincing to ſuch a man. To counterbalance this reaſoning, he puts in the other ſcale a reluctance, an antipathy, a rebellion of the heart againſt ſuch pernicious maxims, which is felt by ingenuous natures.

Let us conſider a little the force of Mr HUME's anſwer to this ſenſible knave, who reaſons upon his own principles. I think it is either an acknowledgment, that there is a natural judgment of conſcience in man, that injuſtice and treachery is a baſe and unworthy practice, which is the point I would eſtabliſh; or it has no force to convince either the knave or an honeſt man.

A clear and intuitive judgment, reſulting from the conſtitution of human nature, is ſufficient to overbalance a train of ſubtile reaſoning on the other ſide. Thus, the teſtimony of our ſenſes is ſufficient to overbalance all the ſubtile arguments brought againſt their teſtimony. And, if there be a like teſtimony of conſcience in favour of honeſty, all the ſubtile reaſoning of the knave againſt it ought to be rejected without examination, as fallacious and ſophiſtical. becauſe it concludes againſt a ſelf-evident principle; juſt as we reject the ſubtile reaſoning of the metaphyſician againſt the evidence of ſenſe.

If, therefore, the *reluctance*, the *antipathy*, the *rebellion of the heart* againſt injuſtice, which Mr HUME ſets againſt the reaſoning of the knave, include in their meaning a natural intuitive judgment of conſcience, that injuſtice is baſe and unworthy, the reaſoning of the knave is convincingly anſwered; but the principle,

principle, *That juſtice is an artificial virtue, approved ſolely for its utility*, is given up. CHAP. VI.

If, on the other hand, the antipathy, reluctance and rebellion of heart, imply no judgment, but barely an uneaſy feeling, and that not natural, but acquired and artificial, the anſwer is indeed very agreeable to the principles of the *Enquiry*, but has no force to convince the knave, or any other man.

The knave is here ſuppoſed by Mr HUME to have no ſuch feelings, and therefore the anſwer does not touch his caſe in the leaſt, but leaves him in the full poſſeſſion of his reaſoning. And *ingenuous natures*, who have theſe feelings, are left to deliberate whether they will yield to acquired and artificial feelings, in oppoſition to rules of conduct, which, to their beſt judgment, appear wiſe and prudent.

The *ſecond* thing I propoſed to ſhew was, That, as ſoon as men have any rational conception of a favour and of an injury, they muſt have the conception of juſtice, and perceive its obligation.

The power with which the Author of nature hath endowed us, may be employed either to do good to our fellow-men, or to hurt them. When we employ our power to promote the good and happineſs of others, this is a benefit or favour; when we employ it to hurt them, it is an injury. Juſtice fills up the middle between theſe two. It is ſuch a conduct as does no injury to others; but it does not imply the doing them any favour.

The notions of a *favour* and of an *injury*, appear as early in the mind of man as any rational notion whatever. They are diſcovered, not by language only, but by certain affections of

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mind, of which they are the natural objects. A favour naturally produces gratitude. An injury done to ourſelves produces reſentment; and even when done to another, it produces indignation.

I take it for granted that gratitude and reſentment are no leſs natural to the human mind than hunger and thirſt; and that thoſe affections are no leſs naturally excited by their proper objects and occaſions than theſe appetites.

It is no leſs evident, that the proper and formal object of gratitude is a perſon who has done us a favour; that of reſentment, a perſon who has done us an injury.

Before the uſe of reaſon, the diſtinction between a favour and an agreeable office is not perceived. Every action of another perſon which gives preſent pleaſure produces love and good will towards the agent. Every action that gives pain or uneaſineſs produces reſentment. This is common to man before the uſe of reaſon, and to the more ſagacious brutes; and it ſhews no conception of juſtice in either.

But, as we grow up to the uſe of reaſon, the notion, both of a favour and of an injury, grows more diſtinct and better defined. It is not enough that a good office be done; it muſt be done from good will, and with a good intention, otherwiſe it is no favour, nor does it produce gratitude.

I have heard of a phyſician who gave ſpiders in a medicine to a dropſical patient, with an intention to poiſon him, and that this medicine cured the patient, contrary to the intention of the phyſician. Surely no gratitude, but reſentment, was due by the patient, when he knew the real ſtate of the caſe. It is evident to every man, that a benefit ariſing from the action of another,

ther, either without or againſt his intention, is not a motive to gratitude; that is, is no favour. CHAP. V.

Another thing implied in the nature of a favour is, that it be not due. A man may ſave my credit by paying what he owes me. In this caſe, what he does tends to my benefit, and perhaps is done with that intention; but it is not a favour, it is no more than he was bound to do.

If a ſervant do his work and receive his wages, there is no favour done on either part, nor any object of gratitude; becauſe, though each party has benefited the other, yet neither has done more than he was bound to do.

What I infer from this is, That the conception of a favour in every man come to years of underſtanding, implies the conception of things not due, and conſequently the conception of things that are due.

A negative cannot be conceived by one who has no conception of the correſpondent poſitive. Not to be due is the negative of being due; and he who conceives one of them muſt conceive both. The conception of things due and not due muſt therefore be found in every mind which has any rational conception of a favour, or any rational ſentiment of gratitude.

If we conſider, on the other hand, what an injury is which is the object of the natural paſſion of reſentment, every man, capable of reflection, perceives, that an injury implies more than being hurt. If I be hurt by a ſtone falling out of the wall, or by a flaſh of lightning, or by a convulſive and involuntary motion of another man's arm, no injury is done, no reſentment raiſed in a man that has reaſon. In this, as in all moral

CHAP. V. moral actions, there must be the will and intention of the agent to do the hurt.

Nor is this sufficient to constitute an injury. The man who breaks my fences, or treads down my corn, when he cannot otherwise preserve himself from destruction, who has no injurious intention, and is willing to indemnify me for the hurt which necessity, and not ill will, led him to do, is not injurious, nor is an object of resentment.

The executioner who does his duty, in cutting off the head of a condemned criminal, is not an object of resentment. He does nothing unjust, and therefore nothing injurious.

From this it is evident, that an injury, the object of the natural passion of resentment, implies in it the notion of injustice. And it is no less evident, that no man can have a notion of injustice without having the notion of justice.

To sum up what has been said upon this point: A favour, an act of justice and an injury, are so related to one another that he who conceives one must conceive the other two. They lie, as it were, in one line, and resemble the relations of greater, less and equal. If one understands what is meant by one line being greater or less than another, he can be at no loss to understand what is meant by its being equal to the other; for, if it be neither greater nor less, it must be equal.

In like manner, of those actions by which we profit or hurt other men, a favour is more than justice, an injury is less; and that which is neither a favour nor an injury is a just action.

As soon, therefore, as men come to have any proper notion of a favour and of an injury; as soon as they have any rational exercise of gratitude and of resentment; so soon they must have

have the conception of juſtice and of injuſtice; and if gratitude and reſentment be natural to man, which Mr HUME allows, the notion of juſtice muſt be no leſs natural.

The notion of juſtice carries inſeparably along with it, a perception of its moral obligation. For to ſay that ſuch an action is an act of juſtice, that it is due, that it ought to be done, that we are under a moral obligation to do it, are only different ways of expreſſing the ſame thing. It is true, that we perceive no high degree of moral worth in a merely juſt action, when it is not oppoſed by intereſt or paſſion; but we perceive a high degree of turpitude and demerit in unjuſt actions, or in the omiſſion of what juſtice requires.

Indeed, if there were no other argument to prove, that the obligation of juſtice is not ſolely derived from its utility to procure what is agreeable either to ourſelves or to ſociety, this would be ſufficient, That the very conception of juſtice implies its obligation. The morality of juſtice is included in the very idea of it: Nor is it poſſible that the conception of juſtice can enter into the human mind, without carrying along with it the conception of duty and moral obligation. Its obligation, therefore, is inſeparable from its nature, and is not derived ſolely from its utility, either to ourſelves or to ſociety.

We may farther obſerve, That as in all moral eſtimation, every action takes its denomination from the motive that produces it; ſo no action can properly be denominated an act of juſtice, unleſs it be done from a regard to juſtice.

If a man pays his debt, only that he may not be caſt into priſon, he is not a juſt man, becauſe prudence, and not juſtice, is his motive. And if a man, from benevolence and charity, gives to another what is really due to him, but what he believes not

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not to be due, this is not an act of juſtice in him, but of charity or benevolence, becauſe it is not done from a motive of juſtice. Theſe are ſelf-evident truths; nor is it leſs evident, that what a man does, merely to procure ſomething agreeable, either to himſelf or to others, is not an act of juſtice, nor has the merit of juſtice.

Good muſic and good cookery have the merit of utility, in procuring what is agreeable both to ourſelves and to ſociety, but they never obtained among mankind the denomination of moral virtues. Indeed, if this author's ſyſtem be well founded, great injuſtice has been done them on that account.

I ſhall now make ſome obſervations upon the reaſoning of this author, in proof of his favourite principle, That juſtice is not a natural but an artificial virtue; or, as it is expreſſed in the *Enquiry*, That public utility is the ſole origin of juſtice, and that reflections on the beneficial conſequences of this virtue are the ſole foundation of its merit.

1. It muſt be acknowledged, that this principle has a neceſſary connection with his ſyſtem concerning the foundation of all virtue; and therefore it is no wonder that he hath taken ſo much pains to ſupport it; for the whole ſyſtem muſt ſtand or fall with it.

If the *dulce* and the *utile*, that is, pleaſure, and what is uſeful to procure pleaſure, be the whole merit of virtue, juſtice can have no merit beyond its utility to procure pleaſure. If, on the other hand, an intrinſic worth in juſtice and demerit in injuſtice be diſcerned by every man that hath a conſcience; if there be a natural principle in the conſtitution of man, by which juſtice is approved and injuſtice diſapproved and condemned, then the whole of this laboured ſyſtem muſt fall to the ground.

2. We

2. We may obſerve, That as juſtice is directly oppoſed to injury, and as there are various ways in which a man may be injured, ſo there muſt be various branches of juſtice oppoſed to the different kinds of injury.

A man may be injured, *firſt*, in his perſon, by wounding, maiming or killing him; *ſecondly*, in his family, by robbing him of his children, or any way injuring thoſe he is bound to protect; *thirdly*, in his liberty, by confinement; *fourthly*, in his reputation; *fifthly*, in his goods or property; and, *laſtly*, in the violation of contracts or engagements made with him. This enumeration, whether complete or not, is ſufficient for the preſent purpoſe.

The different branches of juſtice, oppoſed to theſe different kinds of injury, are commonly expreſſed by ſaying, that an innocent man has a right to the ſafety of his perſon and family, a right to his liberty and reputation, a right to his goods, and to fidelity to engagements made with him. To ſay that he has a right to theſe things, has preciſely the ſame meaning as to ſay, that juſtice requires that he ſhould be permitted to enjoy them, or that it is unjuſt to violate them. For injuſtice is the violation of right, and juſtice is to yield to every man what is his right.

Theſe things being underſtood as the ſimpleſt and moſt common ways of expreſſing the various branches of juſtice, we are to conſider how far Mr HUME's reaſoning proves any or all of them to be artificial, or grounded ſolely upon public utility. The laſt of them, fidelity to engagements, is to be the ſubject of the next chapter, and therefore I ſhall ſay nothing of it in this.

The four firſt named, to wit, the right of an innocent man to the ſafety of his perſon and family, to his liberty and reputa-

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tion, are, by the writers on juriſprudence, called *natural* rights of man, becauſe they are grounded in the nature of man as a rational and moral agent, and are by his Creator committed to his care and keeping. By being called *natural* or *innate*, they are diſtinguiſhed from acquired rights, which ſuppoſe ſome previous act or deed of man by which they are acquired, whereas natural rights ſuppoſe nothing of this kind.

When a man's natural rights are violated, he perceives intuitively, and he feels that he is injured. The feeling of his heart ariſes from the judgment of his underſtanding; for if he did not believe that the hurt was intended, and unjuſtly intended, he would not have that feeling. He perceives that injury is done to himſelf, and that he has a right to redreſs. The natural principle of reſentment is rouſed by the view of its proper object, and excites him to defend his right. Even the injurious perſon is conſcious of his doing injury; he dreads a juſt retaliation; and if it be in the power of the injured perſon, he expects it as due and deſerved.

That theſe ſentiments ſpring up in the mind of man as naturally as his body grows to its proper ſtature; that they are not the birth of inſtruction, either of parents, prieſts, philoſophers or politicians, but the pure growth of nature, cannot, I think, without effrontery, be denied. We find them equally ſtrong in the moſt ſavage and in the moſt civilized tribes of mankind; and nothing can weaken them but an inveterate habit of rapine and bloodſhed, which benumbs the conſcience, and turns men into wild beaſts.

The public good is very properly conſidered by the judge who puniſhes a private injury, but ſeldom enters into the thought of the injured perſon. In all criminal law, the redreſs due to the private ſufferer is diſtinguiſhed from that which is due to the public; a diſtinction which could have no foundation,

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if the demerit of injuſtice aroſe ſolely from its hurting the public. And every man is conſcious of a ſpecific difference between the reſentment he feels for an injury done to himſelf, and his indignation againſt a wrong done to the public.

I think, therefore, it is evident, that, of the ſix branches of juſtice we mentioned, four are natural, in the ſtricteſt ſenſe, being founded upon the conſtitution of man, and antecedent to all deeds and conventions of ſociety; ſo that, if there were but two men upon the earth, one might be unjuſt and injurious, and the other injured.

But does Mr HUME maintain the contrary?

To this queſtion I anſwer, That his doctrine ſeems to imply it, but I hope he meant it not.

He affirms in general that juſtice is not a natural virtue; that it derives its origin ſolely from public utility, and that reflections on the beneficial conſequences of this virtue are the ſole foundation of its merit. He mentions no particular branch of juſtice as an exception to this general rule; yet juſtice, in common language, and in all the writers on juriſprudence I am acquainted with, comprehends the four branches above mentioned. His doctrine, therefore, according to the common conſtruction of words, extends to theſe four, as well as to the two other branches of juſtice.

On the other hand, if we attend to his long and laboured proof of this doctrine, it appears evident, that he had in his eye only two particular branches of juſtice. No part of his reaſoning applies to the other four. He ſeems, I know not why, to have taken up a confined notion of juſtice, and to have reſtricted it to a regard to property and fidelity in contracts. As to other branches he is ſilent. He no where ſays, that it is not

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naturally criminal to rob an innocent man of his life, of his children, of his liberty, or of his reputation; and I am apt to think he never meant it.

The only Philoſopher I know who has had the aſſurance to maintain this, is Mr HOBBES, who makes the ſtate of nature to be a ſtate of war, of every man againſt every man; and of ſuch a war in which every man has a right to do and to acquire whatever his power can, by any means, accompliſh; that is, a ſtate wherein neither right nor injury, juſtice nor injuſtice, can poſſibly exiſt.

Mr HUME mentions this ſyſtem of HOBBES, but without adopting it, though he allows it the authority of CICERO in its favour.

He ſays in a note, "This fiction of a ſtate of nature as a "ſtate of war was not firſt ſtarted by Mr HOBBES, as is com-"monly imagined. PLATO endeavours to refute an hypotheſis "very like it, in the 2d, 3d and 4th books, *De Republica*. CI-"CERO, on the contrary, ſuppoſes it certain and univerſally ac-"knowledged, in the following paſſage, *&c.. Pro Sextio, l.* 42."

The paſſage, which he quotes at large, from one of CICERO's Orations, ſeems to me to require ſome ſtraining to make it tally with the ſyſtem of Mr HOBBES. Be this as it may, Mr HUME might have added, That CICERO, in his Orations, like many other pleaders, ſometimes ſays not what he believed, but what was fit to ſupport the cauſe of his client. That CICERO's opinion, with regard to the natural obligation of juſtice, was very different from that of Mr HOBBES, and even from Mr HUME's, is very well known.

3. As Mr HUME, therefore, has ſaid nothing to prove the four branches of juſtice which relate to the innate rights of men,

men, to be artificial, or to derive their origin ſolely from public utility, I proceed to the fifth branch, which requires us not to invade another man's property. CHAP. V.

The right of property is not innate, but acquired. It is not grounded upon the conſtitution of man, but upon his actions. Writers on juriſprudence have explained its origin in a manner that may ſatisfy every man of common underſtanding.

The earth is given to men in common for the purpoſes of life, by the bounty of Heaven. But, to divide it, and appropriate one part of its produce to one, another part to another, muſt be the work of men who have power and underſtanding given them, by which every man may accommodate himſelf without hurt to any other.

This common right of every man to what the earth produces, before it be occupied and appropriated by others, was, by ancient moraliſts, very properly compared to the right which every citizen had to the public theatre, where every man that came might occupy an empty ſeat, and thereby acquire a right to it while the entertainment laſted; but no man had a right to diſpoſſeſs another.

The earth is a great theatre, furniſhed by the Almighty, with perfect wiſdom and goodneſs, for the entertainment and employment of all mankind. Here every man has a right to accommodate himſelf as a ſpectator, and to perform his part as an actor, but without hurt to others.

He who does ſo is a juſt man, and thereby entitled to ſome degree of moral approbation; and he who not only does no hurt, but employs his power to do good, is a good man, and is thereby entitled to a higher degree of moral approbation. But he who juſtles and moleſts his neighbour, who deprives him of

any

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any accommodation which his induſtry has provided without hurt to others, is unjuſt, and a proper object of reſentment.

It is true, therefore, that property has a beginning from the actions of men, occupying, and perhaps improving, by their induſtry, what was common by nature. It is true alſo, that before property exiſts, that branch of juſtice and injuſtice which regards property cannot exiſt. But it is alſo true, that where there are men, there will very ſoon be property of one kind or another, and conſequently there will be that branch of juſtice which attends property as its guardian.

There are two kinds of property which we may diſtinguiſh.

The *firſt* is what muſt preſently be conſumed to ſuſtain life; the *ſecond*, which is more permanent, is what may be laid up and ſtored for the ſupply of future wants.

Some of the gifts of nature muſt be uſed and conſumed by individuals for the daily ſupport of life; but they cannot be uſed till they be occupied and appropriated. If another perſon may, without injuſtice, rob me of what I have innocently occupied for preſent ſubſiſtence, the neceſſary conſequence muſt be, that he may, without injuſtice, take away my life.

A right to life implies a right to the neceſſary means of life. And that juſtice which forbids the taking away the life of an innocent man, forbids no leſs the taking from him the neceſſary means of life. He has the ſame right to defend the one as the other; and nature inſpires him with the ſame juſt reſentment of the one injury as of the other.

The natural right of liberty implies a right to ſuch innocent labour as a man chuſes, and to the fruit of that labour. To hinder

hinder another man's innocent labour, or to deprive him of the fruit of it, is an injuſtice of the ſame kind, and has the ſame effect as to put him in fetters or in priſon, and is equally a juſt object of reſentment.

Thus it appears, that ſome kind, or ſome degree, of property muſt exiſt wherever men exiſt, and that the right to ſuch property is the neceſſary conſequence of the natural right of men to life and liberty.

It has been further obſerved, that God has made man a ſagacious and provident animal, led by his conſtitution not only to occupy and uſe what nature has provided for the ſupply of his preſent wants and neceſſities, but to foreſee future wants, and to provide for them; and that not only for himſelf, but for his family, his friends and connections.

He therefore acts in perfect conformity to his nature, when he ſtores, of the fruit of his labour, what may afterwards be uſeful to himſelf or to others; when he invents and fabricates utenſils or machines by which his labour may be facilitated, and its produce increaſed; and when, by exchanging with his fellow-men commodities or labour, he accommodates both himſelf and them. Theſe are the natural and innocent exertions of that underſtanding wherewith his Maker has endowed him. He has therefore a right to exerciſe them, and to enjoy the fruit of them. Every man who impedes him in making ſuch exertions, or deprives him of the fruit of them, is injurious and unjuſt, and an object of juſt reſentment.

Many brute-animals are led by inſtinct to provide for futurity, and to defend their ſtore, and their ſtore-houſe, againſt all invaders. There ſeems to be in man, before the uſe of reaſon, an inſtinct of the ſame kind. When reaſon and conſcience grow

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grow up, they approve and juſtify this provident care, and condemn, as unjuſt, every invaſion of others, that may fruſtrate it.

Two inſtances of this provident ſagacity ſeem to be peculiar to man. I mean the invention of utenſils and machines for facilitating labour, and the making exchanges with his fellowmen for mutual benefit. No tribe of men has been found ſo rude as not to practiſe theſe things in ſome degree. And I know no tribe of brutes that was ever obſerved to practiſe them. They neither invent nor uſe utenſils or machines, nor do they traffic by exchanges.

From theſe obſervations, I think it evident, that man, even in the ſtate of nature, by his powers of body and mind, may acquire permanent property, or what we call *riches*, by which his own and his family's wants are more liberally ſupplied, and his power enlarged to requite his benefactors, to relieve objects of compaſſion, to make friends, and to defend his property againſt unjuſt invaders. And we know from hiſtory, that men, who had no ſuperior on earth, no connection with any public beyond their own family, have acquired property, and had diſtinct notions of that juſtice and injuſtice, of which it is the object.

Every man, as a reaſonable creature, has a right to gratify his natural and innocent deſires, without hurt to others. No deſire is more natural, or more reaſonable, than that of ſupplying his wants. When this is done without hurt to any man, to hinder or fruſtrate his innocent labour, is an unjuſt violation of his natural liberty. Private utility leads a man to deſire property, and to labour for it; and his right to it is only a right to labour for his own benefit.

That public utility is the ſole origin, even of that branch of juſtice which regards property, is ſo far from being true, that when men confederate and conſtitute a public, under laws and government,

government, the right of each individual to his property is, by that confederation, abridged and limited. In the ſtate of nature every man's property was ſolely at his own diſpoſal, becauſe he had no ſuperior. In civil ſociety it muſt be ſubject to the laws of the ſociety. He gives up to the public part of that right which he had in the ſtate of nature, as the price of that protection and ſecurity which he receives from civil ſociety. In the ſtate of nature, he was ſole judge in his own cauſe, and had right to defend his property, his liberty, and life, as far as his power reached. In the ſtate of civil ſociety, he muſt ſubmit to the judgment of the ſociety, and acquieſce in its ſentence, though he ſhould conceive it to be unjuſt.

What was ſaid above, of the natural right every man has to acquire permanent property, and to diſpoſe of it, muſt be underſtood with this condition, That no other man be thereby deprived of the neceſſary means of life. The right of an innocent man to the neceſſaries of life, is, in its nature, ſuperior to that which the rich man has to his riches, even though they be honeſtly acquired. The uſe of riches, or permanent property, is to ſupply future and caſual wants, which ought to yield to preſent and certain neceſſity.

As, in a family, juſtice requires that the children who are unable to labour, and thoſe who, by ſickneſs, are diſabled, ſhould have their neceſſities ſupplied out of the common ſtock, ſo, in the great family of GOD, of which all mankind are the children, juſtice, I think, as well as charity, requires, that the neceſſities of thoſe who, by the providence of GOD, are diſabled from ſupplying themſelves, ſhould be ſupplied from what might otherwiſe be ſtored for future wants.

From this it appears, That the right of acquiring and that of diſpoſing of property, may be ſubject to limitations and reſtrictions, even in the ſtate of nature, and much more in the

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ſtate of civil ſociety, in which the public has what writers in juriſprudence call an *eminent dominion* over the property, as well as over the lives of the ſubjects, as far as the public good requires.

If theſe principles be well founded, Mr HUME's arguments to prove that juſtice is an artificial virtue, or that its public utility is the ſole foundation of its merit, may be eaſily anſwered.

He ſuppoſes, *firſt*, a ſtate in which nature has beſtowed on the human race, ſuch abundance of external goods, that every man, without care or induſtry, finds himſelf provided of whatever he can wiſh or deſire. It is evident, ſays he, that in ſuch a ſtate, the cautious jealous virtue of juſtice would never once have been dreamed of.

It may be obſerved, *firſt*, That this argument applies only to one of the ſix branches of juſtice before mentioned. The other five are not in the leaſt affected by it; and the Reader will eaſily perceive that this obſervation applies to almoſt all his arguments, ſo that it needs not be repeated.

Secondly, All that this argument proves is, That a ſtate of the human race may be conceived wherein no property exiſts, and where, of conſequence, there can be no exerciſe of that branch of juſtice which reſpects property. But does it follow from this, that where property exiſts, and muſt exiſt, that no regard ought to be had to it?

He next ſuppoſes that the neceſſities of the human race continuing the ſame as at preſent, the mind is ſo enlarged with friendſhip and generoſity, that every man feels as much tenderneſs and concern for the intereſt of every man, as for his own. It ſeems evident, he ſays, that the uſe of juſtice would be ſuſpended by ſuch an extenſive benevolence, nor would the diviſions

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ſions and barriers of property and obligation have ever been thought of.

I anſwer, The conduct which this extenſive benevolence leads to, is either perfectly conſiſtent with juſtice, or it is not. *Firſt*, If there be any caſe where this benevolence would lead us to do injuſtice, the uſe of juſtice is not ſuſpended. Its obligation is ſuperior to that of benevolence; and, to ſhew benevolence to one, at the expence of injuſtice to another, is immoral. *Secondly*, Suppoſing no ſuch caſe could happen, the uſe of juſtice would not be ſuſpended, becauſe by it we muſt diſtinguiſh good offices to which we had a right, from thoſe to which we had no right, and which therefore require a return of gratitude. *Thirdly*, Suppoſing the uſe of juſtice to be ſuſpended, as it muſt be in every caſe where it cannot be exerciſed, Will it follow, that its obligation is ſuſpended, where there is acceſs to exerciſe it?

A *third* ſuppoſition is, the reverſe of the firſt, That a ſociety falls into extreme want of the neceſſaries of life: The queſtion is put, Whether in ſuch a caſe, an equal partition of bread, without regard to private property, though effected by power, and even by violence, would be regarded as criminal and injurious? And the Author conceives, that this would be a ſuſpenſion of the ſtrict laws of juſtice.

I anſwer, That ſuch an equal partition as Mr HUME mentions, is ſo far from being criminal or injurious, that juſtice requires it; and ſurely that cannot be a ſuſpenſion of the laws of juſtice, which is an act of juſtice. All that the ſtricteſt juſtice requires in ſuch a caſe, is, That the man whoſe life is preſerved at the expence of another, and without his conſent, ſhould indemnify him when he is able. His caſe is ſimilar to that of a debtor who is inſolvent, without any fault on his part. Juſtice requires that he ſhould be forborn till he is able to pay. It is ſtrange that Mr

CHAP. V. HUME ſhould think that an action, neither criminal nor injurious, ſhould be a ſuſpenſion of the laws of juſtice. This ſeems to me a contradiction; for *juſtice* and *injury* are contradictory terms.

The next argument is thus expreſſed: "When any man, even "in political ſociety, renders himſelf, by crimes, obnoxious "to the public, he is puniſhed in his goods and perſon; that is, "the ordinary rules of juſtice are, with regard to him, ſuſpend-"ed for a moment, and it becomes equitable to inflict on him, "what otherwiſe he could not ſuffer without wrong or injury."

This argument, like the former, refutes itſelf. For that an action ſhould be a ſuſpenſion of the rules of juſtice, and at the ſame time equitable, ſeems to me a contradiction. It is poſſible that equity may interfere with the letter of human laws, becauſe all the caſes that may fall under them, cannot be foreſeen; but that equity ſhould interfere with juſtice is impoſſible. It is ſtrange that Mr HUME ſhould think, that juſtice requires that a criminal ſhould be treated in the ſame way as an innocent man.

Another argument is taken from public war. What is it, ſays he, but a ſuſpenſion of juſtice among the warring parties? The laws of war, which then ſucceed to thoſe of equity and juſtice, are rules calculated for the advantage and utility of that particular ſtate in which men are now placed.

I anſwer, when war is undertaken for ſelf-defence, or for reparation of intolerable injuries, juſtice authoriſes it. The laws of war, which have been deſcribed by many judicious moraliſts, are all drawn from the fountain of juſtice and equity; and every thing contrary to juſtice, is contrary to the laws of war. That juſtice, which preſcribes one rule of conduct to a maſter, another

another to a ſervant; one to a parent, another to a child; preſcribes alſo one rule of conduct towards a friend, another towards an enemy. I do not underſtand what Mr HUME means by the *advantage* and *utility* of a ſtate of war, for which he ſays the laws of war are calculated, and ſucceed to thoſe of juſtice and equity. I know no laws of war that are not calculated for juſtice and equity.

The next argument is this, were there a ſpecies of creatures intermingled with men, which, though rational, were poſſeſſed of ſuch inferior ſtrength, both of body and mind, that they were incapable of all reſiſtance, and could never, upon the higheſt provocation, make us feel the effects of their reſentment; the neceſſary conſequence, I think, is, that we ſhould be bound, by the laws of humanity, to give gentle uſage to theſe creatures, but ſhould not, properly ſpeaking, lie under any reſtraint of juſtice with regard to them, nor could they poſſeſs any right or property, excluſive of ſuch arbitrary lords.

If Mr HUME had not owned this ſentiment as a conſequence of his Theory of Morals, I ſhould have thought it very uncharitable to impute it to him. However, we may judge of the Theory by its avowed conſequence. For there cannot be better evidence, that a theory of morals, or of any particular virtue, is falſe, than when it ſubverts the practical rules of morals. This defenceleſs ſpecies of rational creatures, is doomed by Mr HUME to have no rights. Why? Becauſe they have no power to defend themſelves. Is not this to ſay, That right has its origin from power; which, indeed, was the doctrine of Mr HOBBES. And to illuſtrate this doctrine, Mr HUME adds, That as no inconvenience ever reſults from the exerciſe of a power, ſo firmly eſtabliſhed in nature, the reſtraints of juſtice and property being totally uſeleſs, could never have place in ſo unequal a confederacy; and, to the ſame purpoſe, he ſays, that the female part of our

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our own ſpecies, owe the ſhare they have in the rights of ſociety, to the power which their addreſs and their charms give them. If this be ſound morals, Mr HUME's Theory of Juſtice may be true.

We may here obſerve, that though, in other places, Mr HUME founds the obligation of juſtice upon its utility to *ourſelves*, or to *others*, it is here founded ſolely upon utility to *ourſelves*. For ſurely to be treated with juſtice would be highly uſeful to the defenceleſs ſpecies he here ſuppoſes to exiſt. But as no inconvenience to ourſelves can ever reſult from our treatment of them, he concludes, that juſtice would be uſeleſs, and therefore can have no place. Mr HOBBES could have ſaid no more.

He ſuppoſes, in the *laſt* place, a ſtate of human nature, wherein all ſociety and intercourſe is cut off between man and man. It is evident, he ſays, that ſo ſolitary a being would be as much incapable of juſtice as of ſocial diſcourſe and converſation.

And would not ſo ſolitary a being be as incapable of friendſhip, generoſity and compaſſion, as of juſtice? If this argument prove juſtice to be an artificial virtue, it will, with equal force, prove every ſocial virtue to be artificial.

Theſe are the arguments which Mr HUME has advanced in his *Enquiry*, in the firſt part of a long ſection upon juſtice.

In the *ſecond* part, the arguments are not ſo clearly diſtinguiſhed, nor can they be eaſily collected. I ſhall offer ſome remarks upon what ſeems moſt ſpecious in this ſecond part.

He begins with obſerving, "That, if we examine the par-"ticular laws by which juſtice is directed and property deter-"mined, they preſent us with the ſame concluſion. The good

" of

" of mankind is the only object of all thoſe laws and regula- CHAP. V.
" tions."

It is not eaſy to perceive where the ſtreſs of this argument lies. *The good of mankind is the object of all the laws and regulations by which juſtice is directed and property determined; therefore juſtice is not a natural virtue, but has its origin ſolely from public utility, and its beneficial conſequences are the ſole foundation of its merit.*

Some ſtep ſeems to be wanting to connect the antecedent propoſition with the concluſion, which, I think, muſt be one or other of theſe two propoſitions; firſt, *All the rules of juſtice tend to public utility;* or, ſecondly, *Public utility is the only ſtandard of juſtice, from which alone all its rules muſt be deduced.*

If the argument be, That juſtice muſt have its origin ſolely from public utility, becauſe all its rules tend to public utility, I cannot admit the conſequence; nor can Mr HUME admit it without overturning his own ſyſtem. For the rules of benevolence and humanity do all tend to the public utility, and yet in his ſyſtem, they have another foundation in human nature; ſo likewiſe may the rules of juſtice.

I am apt to think, therefore, that the argument is to be taken in the laſt ſenſe, That public utility is the only ſtandard of juſtice, from which all its rules muſt be deduced; and therefore juſtice has its origin ſolely from public utility.

This ſeems to be Mr HUME's meaning, becauſe, in what follows, he obſerves, That, in order to eſtabliſh laws for the regulation of property, we muſt be acquainted with the nature and ſituation of man; muſt reject appearances which may be falſe, though ſpecious; and muſt ſearch for thoſe rules which are, on the whole, moſt uſeful and beneficial; and endeavours to ſhew, that the eſtabliſhed rules which regard property are more for the public good, than the ſyſtem, either of thoſe reli-

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gious fanatics of the laſt age, who held, that ſaints only ſhould inherit the earth; or of thoſe political fanatics, who claimed an equal diviſion of property.

We ſee here, as before, that though Mr HUME's concluſion reſpects juſtice in general, his argument is confined to one branch of juſtice, to wit, the right of property; and it is well known, that, to conclude from a part to the whole, is not good reaſoning.

Beſides, the propoſition from which his concluſion is drawn, cannot be granted, either with regard to property, or with regard to the other brauches of juſtice.

We endeavoured before to ſhow, that property, though not an innate but an acquired right, may be acquired in the ſtate of nature, and agreeably to the laws of nature; and that this right has not its origin from human laws, made for the public good, though, when men enter into political ſociety, it may and ought to be regulated by thoſe laws.

If there were but two men upon the face of the earth, of ripe faculties, each might have his own property, and might know his right to defend it, and his obligation not to invade the property of the other. He would have no need to have recourſe to reaſoning from public good, in order to know when he was injured, either in his property, or in any of his natural rights, or to know what rules of juſtice he ought to obſerve towards his neighbour.

The ſimple rule, of not doing to his neighbour what he would think wrong to be done to himſelf, would lead him to the knowledge of every branch of juſtice, without the conſideration of public good, or of laws and ſtatutes made to promote it.

It

It is not true, therefore, That public utility is the only ſtandard of juſtice, and that the rules of juſtice can be deduced only from their public utility.

ARISTIDES, and the people of Athens, had ſurely another notion of juſtice, when he pronounced the counſel of THEMISTOCLES, which was communicated to him only, to be highly uſeful, but unjuſt; and the aſſembly, upon this authority, rejected the propoſal unheard. Theſe honeſt citizens, though ſubject to no laws but of their own making, far from making utility the ſtandard of juſtice, made juſtice to be the ſtandard of utility.

" *What is a man's property?* Any thing which it is lawful for " him, and for him alone, to uſe. *But what rule have we by* " *which we can diſtinguiſh theſe objects?* Here we muſt have re- " courſe to ſtatutes, cuſtoms, precedents, analogies, *&c.*"

Does not this imply, that, in the ſtate of nature, there can be no diſtinction of property? If ſo, Mr HUME's ſtate of nature is the ſame with that of Mr HOBBES.

It is true, that, when men become members of a political ſociety, they ſubject their property, as well as themſelves, to the laws, and muſt either acquieſce in what the laws determine, or leave the ſociety. But juſtice, and even that particular branch of it which our author always ſuppoſes to be the whole, is antecedent to political ſocieties and to their laws; and the intention of theſe laws is, to be the guardians of juſtice, and to redreſs injuries.

As all the works of men are imperfect, human laws may be unjuſt; which could never be, if juſtice had its origin from law, as the author ſeems here to inſinuate.

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Juſtice requires, that a member of a ſtate ſhould ſubmit to the laws of the ſtate, when they require nothing unjuſt or impious. There may, therefore, be ſtatutory rights and ſtatutory crimes. A ſtatute may create a right which did not before exiſt, or make that to be criminal which was not ſo before. But this could never be, if there were not an antecedent obligation upon the ſubjects to obey the ſtatutes. In like manner, the command of a maſter may make that to be the ſervant's duty which, before, was not his duty, and the ſervant may be chargeable with injuſtice if he diſobeys, becauſe he was under an antecedent obligation to obey his maſter in lawful things.

We grant, therefore, that particular laws may direct juſtice and determine property, and ſometimes even upon very ſlight reaſons and analogies, or even for no other reaſon but that it is better that ſuch a point ſhould be determined by law than that it ſhould be left a dubious ſubject of contention. But this, far from preſenting us with the concluſion which the author would eſtabliſh, preſents us with a contrary concluſion. For all theſe particular laws and ſtatutes derive their whole obligation and force from a general rule of juſtice antecedent to them, to wit, That ſubjects ought to obey the laws of their country.

The author compares the rules of juſtice with the moſt frivolous ſuperſtitions, and can find no foundation for moral ſentiment in the one more than in the other, excepting that juſtice is requiſite to the well-being and exiſtence of ſociety.

It is very true, that, if we examine *mine* and *thine* by the *ſenſes of ſight, ſmell or touch, or ſcrutinize them by the ſciences of medicine, chemiſtry or phyſics*, we perceive no difference. But the reaſon is, that none of theſe ſenſes or ſciences are the judges of right or wrong, or can give any conception of them, any more than the ear of colour, or the eye of ſound. Every man of

common

common underſtanding, and every ſavage, when he applies his moral faculty to thoſe objects, perceives a difference as clearly as he perceives day-light. When that ſenſe or faculty is not conſulted, in vain do we conſult every other, in a queſtion of right and wrong. CHAP. V.

To perceive that juſtice tends to the good of mankind, would lay no moral obligation upon us to be juſt, unleſs we be conſcious of a moral obligation to do what tends to the good of mankind. If ſuch a moral obligation be admitted, why may we not admit a ſtronger obligation to do injury to no man? The laſt obligation is as eaſily conceived as the firſt, and there is as clear evidence of its exiſtence in human nature.

The laſt argument is a dilemma, and is thus expreſſed: "The "dilemma ſeems obvious. As juſtice evidently tends to pro- "mote public utility, and to ſupport civil ſociety, the ſentiment "of juſtice is either derived from our reflecting on that ten- "dency, or, like hunger, thirſt and other appetites, reſentment, "love of life, attachment to offſpring, and other paſſions, ariſes "from a ſimple original inſtinct in the human breaſt, which "nature has implanted for like ſalutary purpoſes. If the lat- "ter be the caſe, it follows, That property, which is the object "of juſtice, is alſo diſtinguiſhed by a ſimple original inſtinct, "and is not aſcertained by any argument or reflection. But "who is there that ever heard of ſuch an inſtinct," &c.

I doubt not but Mr HUME has heard of a principle called *conſcience*, which nature has implanted in the human breaſt. Whether he will call it a ſimple original inſtinct, I know not, as he gives that name to all our appetites and to all our paſſions. From this principle, I think, we derive the ſentiment of juſtice.

As the eye not only gives us the conception of colours, but makes us perceive one body to have one colour, and another

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body another; and as our reaſon not only gives us the conception of true and falſe, but makes us perceive one propoſition to be true and another to be falſe; ſo our conſcience, or moral faculty, not only gives us the conception of honeſt and diſhoneſt, but makes us perceive one kind of conduct to be honeſt, another to be diſhoneſt. By this faculty we perceive a merit in honeſt conduct, and a demerit in diſhoneſt, without regard to public utility.

That theſe ſentiments are not the effect of education or of acquired habits, we have the ſame reaſon to conclude, as that our perception of what is true and what falſe, is not the effect of education or of acquired habits. There have been men who profeſſed to believe, that there is no ground to aſſent to any one propoſition rather than its contrary; but I never yet heard of a man who had the effrontery to profeſs himſelf to be under no obligation of honour or honeſty, of truth or juſtice, in his dealings with men.

Nor does this faculty of conſcience require *innate ideas of property, and of the various ways of acquiring and transferring it, or innate ideas of kings and ſenators, of pretors and chancellors and juries,* any more than the faculty of ſeeing requires innate ideas of colours, or than the faculty of reaſoning requires innate ideas of cones, cylinders and ſpheres.

CHAP.

CHAP. VI.

Of the Nature and Obligation of a Contract.

THE obligation of contracts and promiſes is a matter ſo ſacred, and of ſuch conſequence to human ſociety, that ſpeculations which have a tendency to weaken that obligation, and to perplex men's notions on a ſubject ſo plain and ſo important, ought to meet with the diſapprobation of all honeſt men.

Some ſuch ſpeculations, I think, we have in the third volume of Mr HUME's Treatiſe of Human Nature, and in his Enquiry into the Principles of Morals; and my deſign in this chapter is, to offer ſome obſervations on the nature of a contract or promiſe, and on two paſſages of that author on this ſubject.

I am far from ſaying or thinking, that Mr HUME meant to weaken men's obligations to honeſty and fair dealing, or that he had not a ſenſe of theſe obligations himſelf. It is not the man I impeach, but his writings. Let us think of the firſt as charitably as we can, while we freely examine the import and tendency of the laſt.

Although the nature of a contract and of a promiſe is perfectly underſtood by all men of common underſtanding; yet, by attention to the operations of mind ſignified by theſe words, we ſhall be better enabled to judge of the metaphyſical ſubtilties which have been raiſed about them. A promiſe and a contract differ ſo little in what concerns the preſent diſquiſition, that the ſame reaſoning (as Mr HUME juſtly obſerves) extends to both. In a promiſe, one party only comes under the obligation, the other acquires a right to the preſtation promiſed. But we give the name of a contract to a tranſaction in which each party

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The Latin word *pactum* ſeems to extend to both; and the definition given of it in the Civil Law, and borrowed from ULPIAN, is, *Duorum pluriumve in idem placitum conſenſus.* TITIUS, a modern Civilian, has endeavoured to make this definition more complete, by adding the words, *Obligationis licitè conſtituendæ vel tollendæ cauſa datus.* With this addition the definition is, That a contract is the conſent of two or more perſons in the ſame thing, given with the intention of conſtituting or diſſolving lawfully ſome obligation.

This definition is perhaps as good as any other that can be given; yet, I believe, every man will acknowledge, that it gives him no clearer or more diſtinct notion of a contract than he had before. If it is conſidered as a ſtrictly logical definition, I believe ſome objections might be made to it; but I forbear to mention them, becauſe I believe that ſimilar objections might be made to any definition of a contract that can be given.

Nor can it be inferred from this, that the notion of a contract is not perfectly clear in every man come to years of underſtanding. For this is common to many operations of the mind, that although we underſtand them perfectly, and are in no danger of confounding them with any thing elſe; yet we cannot define them according to the rules of logic, by a genus and a ſpecific difference. And when we attempt it, we rather darken than give light to them.

Is there any thing more diſtinctly underſtood by all men, than what it is to ſee, to hear, to remember, to judge? Yet it is the moſt difficult thing in the world to define theſe operations according to the rules of logical definition. But it is not more difficult than it is uſeleſs.

Sometimes

Sometimes Philoſophers attempt to define them; but, if we examine their definitions, we ſhall find, that they amount to no more than giving one ſynonymous word for another, and commonly a worſe for a better. So when we define a contract, by calling it a conſent, a convention, an agreement, what is this but giving a ſynonymous word for it, and a word that is neither more expreſſive nor better underſtood?

One boy has a top, another a ſcourge; ſays the firſt to the other, If you will lend me your ſcourge as long as I can keep up my top with it, you ſhall next have the top as long as you can keep it up. Agreed, ſays the other. This is a contract perfectly underſtood by both parties, though they never heard of the definition given by ULPIAN or by TITIUS. And each of them knows, that he is injured if the other breaks the bargain, and that he does wrong if he breaks it himſelf.

The operations of the human mind may be divided into two claſſes, the ſolitary and the ſocial. As promiſes and contracts belong to the laſt claſs, it may be proper to explain this diviſion.

I call thoſe operations *ſolitary*, which may be performed by a man in ſolitude, without intercourſe with any other intelligent being.

I call thoſe operations *ſocial*, which neceſſarily imply ſocial intercourſe with ſome other intelligent being who bears a part in them.

A man may ſee, and hear, and remember, and judge, and reaſon; he may deliberate and form purpoſes, and execute them, without the intervention of any other intelligent being. They are ſolitary acts. But when he aſks a queſtion for information, when he teſtifies a fact, when he gives a command to his ſervant, when he makes a promiſe, or enters into a contract, theſe are

ſocial

CHAP. VI. ſocial acts of mind, and can have no exiſtence without the intervention of ſome other intelligent being, who acts a part in them. Between the operations of the mind, which, for want of a more proper name, I have called *ſolitary*, and thoſe I have called *ſocial*, there is this very remarkable diſtinction, that, in the ſolitary, the expreſſion of them by words, or any other ſenſible ſign, is accidental. They may exiſt, and be complete, without being expreſſed, without being known to any other perſon. But, in the ſocial operations, the expreſſion is eſſential. They cannot exiſt without being expreſſed by words or ſigns, and known to the other party.

If nature had not made man capable of ſuch ſocial operations of mind, and furniſhed him with a language to expreſs them, he might think, and reaſon, and deliberate, and will; he might have deſires and averſions, joy and ſorrow; in a word, he might exert all thoſe operations of mind, which the writers in logic and pneumatology have ſo copiouſly deſcribed; but, at the ſame time, he would ſtill be a ſolitary being, even when in a crowd; it would be impoſſible for him to put a queſtion, or give a command, to aſk a favour, or teſtify a fact, to make a promiſe or a bargain.

I take it to be the common opinion of Philoſophers, That the ſocial operations of the human mind are not ſpecifically different from the ſolitary, and that they are only various modifications or compoſitions of our ſolitary operations, and may be reſolved into them.

It is, for this reaſon probably, that, in enumerating the operations of the mind, the ſolitary only are mentioned, and no notice at all taken of the ſocial, though they are familiar to every man, and have names in all languages.

I apprehend, however, it will be found extremely difficult, if not impoſſible, to reſolve our ſocial operations into any modification

cation or compoſition of the ſolitary: And that an attempt to do this, would prove as ineffectual as the attempts that have been made to reſolve all our ſocial affections into the ſelfiſh. The ſocial operations appear to be as ſimple in their nature as the ſolitary. They are found in every individual of the ſpecies, even before the uſe of reaſon. CHAP. VI

The power which man has of holding ſocial intercourſe with his kind, by aſking and refuſing, threatening and ſupplicating, commanding and obeying, teſtifying and promiſing, muſt either be a diſtinct faculty given by our Maker, and a part of our conſtitution, like the powers of ſeeing, and hearing, or it muſt be a human invention. If men have invented this art of ſocial intercourſe, it muſt follow, that every individual of the ſpecies muſt have invented it for himſelf. It cannot be taught; for though, when once carried to a certain pitch, it may be improved by teaching; yet it is impoſſible it can begin in that way, becauſe all teaching ſuppoſes a ſocial intercourſe and language already eſtabliſhed between the teacher and the learner. This intercourſe muſt, from the very firſt, be carried on by ſenſible ſigns; for the thoughts of other men can be diſcovered in no other way. I think it is likewiſe evident, that this intercourſe, in its beginning at leaſt, muſt be carried on by natural ſigns, whoſe meaning is underſtood by both parties, previous to all compact or agreement. For there can be no compact without ſigns, nor without ſocial intercourſe.

I apprehend therefore, that the ſocial intercourſe of mankind, conſiſting of thoſe ſocial operations which I have mentioned, is the exerciſe of a faculty appropriated to that purpoſe, which is the gift of God, no leſs than the powers of ſeeing and hearing. And that, in order to carry on this intercourſe, God has given to man a natural language, by which his ſocial operations are expreſſed, and, without which, the artificial languages of articulate ſounds, and of writing, could never have been invented by human art.

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The ſigns in this natural language are looks, changes of the features, modulations of the voice, and geſtures of the body. All men underſtand this language without inſtruction, and all men can uſe it in ſome degree. But they are moſt expert in it who uſe it moſt. It makes a great part of the language of ſavages, and therefore they are more expert in the uſe of natural ſigns than the civilized.

The language of dumb perſons is moſtly formed of natural ſigns; and they are all great adepts in this language of nature. All that we call action and pronunciation, in the moſt perfect orator, and the moſt admired actor, is nothing elſe but ſuperadding the language of nature to the language of articulate ſounds. The pantomimes among the Romans carried it to the higheſt pitch of perfection. For they could act parts of comedies and tragedies in dumb-ſhew, ſo as to be underſtood, not only by thoſe who were accuſtomed to this entertainment, but by all the ſtrangers that came to Rome, from all the corners of the earth.

For it may be obſerved of this natural language, (and nothing more clearly demonſtrates it to be a part of the human conſtitution,) that although it require practice and ſtudy to enable a man to expreſs his ſentiments by it in the moſt perfect manner; yet it requires neither ſtudy nor practice in the ſpectator to underſtand it. The knowledge of it was before latent in the mind, and we no ſooner ſee it, than we immediately recogniſe it, as we do an acquaintance whom we had long forgot, and could not have deſcribed; but no ſooner do we ſee him, than we know for certain that he is the very man.

This knowledge, in all mankind, of the natural ſigns of men's thoughts and ſentiments, is indeed ſo like to reminiſcence, that it ſeems

ſeems to have led PLATO to conceive all human knowledge to be of that kind. CHAP. VI.

It is not by reaſoning, that all mankind know, that an open countenance, and a placid eye, is a ſign of amity; that a contracted brow, and a fierce look, is the ſign of anger. It is not from reaſon that we learn to know the natural ſigns of conſenting and refuſing, of affirming and denying, of threatening and ſupplicating.

No man can perceive any neceſſary connection between the ſigns of ſuch operations, and the things ſignified by them. But we are ſo formed by the Author of our nature, that the operations themſelves become viſible, as it were, by their natural ſigns. This knowledge reſembles reminiſcence, in this reſpect, that it is immediate. We form the concluſion with great aſſurance, without knowing any premiſes from which it may be drawn by reaſoning.

It would lead us too far from the intention of the preſent enquiry, to conſider more particularly, in what degree the ſocial intercourſe is natural, and a part of our conſtitution; how far it is of human invention.

It is ſufficient to obſerve, that this intercourſe of human minds, by which their thoughts and ſentiments are exchanged, and their ſouls mingle together as it were, is common to the whole ſpecies from infancy.

Like our other powers, its firſt beginnings are weak, and ſcarcely perceptible. But, it is a certain fact, that we can perceive ſome communication of ſentiments between the nurſe and her nurſling, before it is a month old. And I doubt not, but that, if both had grown out of the earth, and had never ſeen another human face, they would be able in a few years to converſe together.

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There appears indeed to be ſome degree of ſocial intercourſe among brute-animals, and between ſome of them and man. A dog exults in the careſſes of his maſter, and is humbled at his diſpleaſure. But there are two operations of the ſocial kind, of which the brute-animals ſeem to be altogether incapable. They can neither plight their veracity by teſtimony, nor their fidelity by any engagement or promiſe. If nature had made them capable of theſe operations, they would have had a language to expreſs them by, as man has: But of this we ſee no appearance.

A fox is ſaid to uſe ſtratagems, but he cannot lie; becauſe he cannot give his teſtimony, or plight his veracity. A dog is ſaid to be faithful to his maſter; but no more is meant but that he is affectionate, for he never came under any engagement. I ſee no evidence, that any brute-animal is capable of either giving teſtimony, or making a promiſe.

A dumb man cannot ſpeak any more than a fox or a dog; but he can give his teſtimony by ſigns as early in life as other men can do by words. He knows what a lie is as early as other men, and hates it as much. He can plight his faith, and is ſenſible of the obligation of a promiſe or contract.

It is therefore a prerogative of man, that he can communicate his knowledge of facts by teſtimony, and enter into engagements by promiſe or contract. God has given him theſe powers by a part of his conſtitution, which diſtinguiſhes him from all brute-animals. And whether they are original powers, or reſolvable into other original powers, it is evident that they ſpring up in the human mind at an early period of life, and are found in every individual of the ſpecies, whether ſavage or civilized.

Theſe prerogative powers of man, like all his other powers, muſt be given for ſome end, and for a good end. And if we conſider a little farther the œconomy of nature, in relation to this part of the human conſtitution, we ſhall perceive the wiſ-

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dom of Nature in the ſtructure of it, and diſcover clearly our duty in conſequence of it. CHAP. VI.

It is evident, in the *firſt* place, that if no credit was given to teſtimony, if there was no reliance upon promiſes, they would anſwer no end at all, not even that of deceiving.

Secondly, Suppoſing men diſpoſed by ſome principle in their nature to rely on declarations and promiſes; yet if men found in experience, that there was no fidelity on the other part in making and in keeping them, no man of common underſtanding would truſt to them, and ſo they would become uſeleſs.

Hence it appears, *thirdly*, That this power of giving teſtimony, and of promiſing, can anſwer no end in ſociety, unleſs there be a conſiderable degree, both of fidelity on the one part, and of truſt on the other. Theſe two muſt ſtand or fall together, and one of them cannot poſſibly ſubſiſt without the other.

Fourthly, It may be obſerved, that fidelity in declarations and promiſes, and its counter-part, truſt and reliance upon them, form a ſyſtem of ſocial intercourſe, the moſt amiable, the moſt uſeful, that can be among men. Without fidelity and truſt, there can be no human ſociety. There never was a ſociety, even of ſavages, nay even of robbers or pirates, in which there was not a great degree of veracity and of fidelity among themſelves. Without it man would be the moſt diſſocial animal that GOD has made. His ſtate would be in reality what HOBBES conceived the ſtate of nature to be, a ſtate of war of every man againſt every man; nor could this war even terminate in peace.

It may be obſerved, in the *fifth* place, that man is evidently made for living in ſociety. His ſocial affections ſhew this as evidently, as that the eye was made for ſeeing. His ſocial operations, particularly thoſe of teſtifying and promiſing, make it no leſs evident.

From

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From theſe obſervations it follows, that if no proviſion were made by nature, to engage men to fidelity in declarations and promiſes, human nature would be a contradiction to itſelf, made for an end, yet without the neceſſary means of attaining it. As if the ſpecies had been furniſhed with good eyes, but without the power of opening their eye-lids. There are no blunders of this kind in the works of GOD. Wherever there is an end intended, the means are admirably fitted for the attainment of it; and ſo we find it to be in the caſe before us.

For we ſee that children, as ſoon as they are capable of underſtanding declarations and promiſes, are led by their conſtitution to rely upon them. They are no leſs led by conſtitution to veracity and candour, on their own part. Nor do they ever deviate from this road of truth and ſincerity, until corrupted by bad example and bad company. This diſpoſition to ſincerity in themſelves, and to give credit to others, whether we call it *inſtinct*, or whatever name we give it, muſt be conſidered as the effect of their conſtitution.

So that the things eſſential to human ſociety, I mean good faith on the one part, and truſt on the other, are formed by nature in the minds of children, before they are capable of knowing their utility, or being influenced by conſiderations either of duty or intereſt.

When we grow up ſo far as to have the conception of a right and a wrong in conduct, the turpitude of lying, falſehood, and diſhoneſty, is diſcerned, not by any train of reaſoning, but by an immediate perception. For we ſee that every man diſapproves it in others, even thoſe who are conſcious of it in themſelves.

Every man thinks himſelf injured and ill uſed, and feels reſentment, when he is impoſed upon by it. Every man takes it as a reproach when falſehood is imputed to him. Theſe are the

the cleareſt evidences, that all men diſapprove of falſehood, when their judgment is not biaſſed. CHAP. VI.

I know of no evidence that has been given of any nation ſo rude, as not to have theſe ſentiments. It is certain that dumb people have them, and diſcover them about the ſame period of life, in which they appear in thoſe who ſpeak. And it may reaſonably be thought, that dumb perſons, at that time of life, have had as little advantage, with regard to morals, from their education, as the greateſt ſavages.

Every man come to years of reflection, when he pledges his veracity or fidelity, thinks he has a right to be credited, and is affronted if he is not. But there cannot be a ſhadow of right to be credited, unleſs there be an obligation to good faith. For right on one hand, neceſſarily implies obligation on the other.

When we ſee that in the moſt ſavage ſtate, that ever was known of the human race, men have always lived in ſocieties greater or leſs, this of itſelf is a proof from fact, that they have had that ſenſe of their obligation to fidelity, without which no human ſociety can ſubſiſt.

From theſe obſervations, I think, it appears very evident, that as fidelity on one part, and truſt on the other, are eſſential to that intercourſe of men, which we call human ſociety; ſo the Author of our nature has made wiſe proviſion for perpetuating them among men, in that degree that is neceſſary to human ſociety, in all the different periods of human life, and in all the ſtages of human improvement and degeneracy.

In early years, we have an innate diſpoſition to them. In riper years, we feel our obligation to fidelity as much as to any moral duty whatſoever.

Nor

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Nor is it neceſſary to mention the collateral inducements to this virtue, from conſiderations of prudence, which are obvious to every man that reflects. Such as, that it creates truſt, the moſt effectual engine of human power; that it requires no artifice or concealment; dreads no detection; that it inſpires courage and magnanimity, and is the natural ally of every virtue; ſo that there is no virtue whatſoever, to which our natural obligation appears more ſtrong or more apparent.

An obſervation or two, with regard to the nature of a contract, will be ſufficient for the preſent purpoſe.

It is obvious that the preſtation promiſed muſt be underſtood by both parties. One party engages to do ſuch a thing, another accepts of this engagement. An engagement to do, one does not know what, can neither be made nor accepted. It is no leſs obvious, that a contract is a voluntary tranſaction.

But it ought to be obſerved, that the will, which is eſſential to a contract, is only a will to engage, or to become bound. We muſt beware of confounding this will, with a will to perform what we have engaged. The laſt can ſignify nothing elſe than an intention and fixed purpoſe to do what we have engaged to do. The will to become bound, and to confer a right upon the other party, is indeed the very eſſence of a contract; but the purpoſe of fulfilling our engagement, is no part of the contract at all.

A purpoſe is a ſolitary act of mind, which lays no obligation on the perſon, nor confers any right on another. A fraudulent perſon may contract with a fixed purpoſe of not performing his engagement. But this purpoſe makes no change with regard to his obligation. He is as much bound as the honeſt man, who contracts with a fixed purpoſe of performing.

As the contract is binding without any regard to the purpoſe,

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ſo there may be a purpoſe without any contract. A purpoſe is no contract, even when it is declared to the perſon for whoſe benefit it is intended. I may ſay to a man, I intend to do ſuch a thing for your benefit, but I come under no engagement. Every man underſtands the meaning of this ſpeech, and ſees no contradiction in it: Whereas, if a purpoſe declared were the ſame thing with a contract, ſuch a ſpeech would be a contradiction, and would be the ſame as if one ſhould ſay, I promiſe to do ſuch a thing, but I do not promiſe.

All this is ſo plain to every man of common ſenſe, that it would have been unneceſſary to be mentioned, had not ſo acute a man as Mr HUME grounded ſome of the contradictions he finds in a contract, upon confounding a will to engage in a contract with a will or purpoſe to perform the engagement.

I come now to conſider the ſpeculations of that Author with regard to contracts.

In order to ſupport a favourite notion of his own, That juſtice is not a natural but an artificial virtue, and that it derives its whole merit from its utility, he has laid down ſome principles which, I think, have a tendency to ſubvert all faith and fair-dealing among mankind.

In the third volume of the Treatiſe of Human Nature, p. 40. he lays it down as an undoubted maxim, That no action can be virtuous or morally good, unleſs there be, in human nature, ſome motive to produce it, diſtinct from its morality. Let us apply this undoubted maxim in an inſtance or two. If a man keeps his word, from this ſole motive, that he ought to do ſo, this is no virtuous or morally good action. If a man pays his debt from this motive, that juſtice requires this of him, this is no virtuous or morally good action. If a judge or an arbiter gives a ſentence in a cauſe, from no other motive but regard to

CHAP. VI. juſtice, this is no virtuous or morally good action. Theſe appear to me to be ſhocking abſurdities, which no metaphyſical ſubtilty can ever juſtify.

Nothing is more evident than that every human action takes its denomination and its moral nature from the motive from which it is performed. That is a benevolent action, which is done from benevolence. That is an act of gratitude which is done from a ſentiment of gratitude. That is an act of obedience to GOD, which is done from a regard to his command. And, in general, that is an act of virtue which is done from a regard to virtue.

Virtuous actions are ſo far from needing other motives, beſides their being virtuous, to give them merit, that their merit is then greateſt and moſt conſpicuous, when every motive that can be put in the oppoſite ſcale is outweighed by the ſole conſideration of their being our duty.

This maxim, therefore, of Mr HUME, That no action can be virtuous or morally good, unleſs there be ſome motive to produce it diſtinct from its morality, is ſo far from being undoubtedly true, that it is undoubtedly falſe. It was never, ſo far as I know, maintained by any moraliſt, but by the Epicureans: and it ſavours of the very dregs of that ſect. It agrees well with the principles of thoſe who maintained, that virtue is an empty name, and that it is entitled to no regard, but in as far as it miniſters to pleaſure or profit.

I believe the author of this maxim acted upon better moral principles than he wrote; and that what CICERO ſays of EPICURUS, may be applied to him: *Redarguitur ipſe a ſeſe, vincunturque ſcripta ejus probitate ipſius et moribus, et ut alii exiſtimantur dicere melius quam facere, ſic ille mihi videtur facere melius quam dicere.*

But

But let us ſee how he applies this maxim to contracts. I give you his words from the place formerly cited. "I ſuppoſe, "ſays he, a perſon to have lent me a ſum of money, on condi- "tion that it be reſtored in a few days; and, after the expira- "tion of the term agreed on, he demands the ſum. I aſk, "what reaſon or motive have I to reſtore the money? It will "perhaps be ſaid, that my regard to juſtice and abhorrence of "villany and knavery, are ſufficient reaſons for me, if I have "the leaſt grain of honeſty, or ſenſe of duty and obligation. "And this anſwer, no doubt, is juſt and ſatisfactory to man in "his civilized ſtate, and when trained up according to a certain "diſcipline and education. But, in his rude and more natural "condition, if you are pleaſed to call ſuch a condition natural, "this anſwer would be rejected as perfectly unintelligible and "ſophiſtical."

The doctrine we are taught in this paſſage is this, That though a man, in a civilized ſtate, and when trained up according to a certain diſcipline and education, may have a regard to juſtice, and an abhorrence of villany and knavery, and ſome ſenſe of duty and obligation; yet to a man in his rude and more natural condition, the conſiderations of honeſty, juſtice, duty and obligation, will be perfectly unintelligible and ſophiſtical. And this is brought as an argument to ſhew, that juſtice is not a natural but an artificial virtue.

I ſhall offer ſome obſervations on this argument.

1. Although it may be true, that what is unintelligible to man in his rude ſtate may be intelligible to him in his civilized ſtate, I cannot conceive, that what is ſophiſtical in the rude ſtate ſhould change its nature, and become juſt reaſoning, when man is more improved. What is a ſophiſm, will always be ſo; nor can any change in the ſtate of the perſon who judges, make that to be juſt reaſoning which before was ſophiſtical. Mr

CHAP. VI. HUME's argument requires, that to man in his rude ſtate, the motives to juſtice and honeſty ſhould not only appear to be ſophiſtical, but ſhould really be ſo. If the motives were juſt in themſelves, then juſtice would be a natural virtue, although the rude man, by an error of his judgment, thought otherwiſe. But if juſtice be not a natural virtue, which is the point Mr HUME intends to prove, then every argument, by which man in his natural ſtate may be urged to it, muſt be a ſophiſm in reality, and not in appearance only; and the effect of diſcipline and education in the civilized ſtate can only be to make thoſe motives to juſtice appear juſt and ſatisfactory, which, in their own nature, are ſophiſtical.

2. It were to be wiſhed, that this ingenious Author had ſhewn us, why that ſtate of man, in which the obligation to honeſty, and an abhorrence of villany, appear perfectly unintelligible and ſophiſtical, ſhould be his *more natural ſtate*.

It is the nature of human ſociety to be progreſſive, as much as it is the nature of the individual. In the individual, the ſtate of infancy leads to that of childhood, childhood to youth, youth to manhood, and manhood to old age. If one ſhould ſay, that the ſtate of infancy is a more natural ſtate than that of manhood or of old age, I am apt to think, that this would be words without any meaning. In like manner, in human ſociety, there is a natural progreſs from rudeneſs to civilization, from ignorance to knowledge. What period of this progreſs ſhall we call man's natural ſtate? To me they appear all equally natural. Every ſtate of ſociety is equally natural, wherein men have acceſs to exert their natural powers about their proper objects, and to improve thoſe powers by the means which their ſituation affords.

Mr HUME, indeed, ſhews ſome timidity in affirming the rude ſtate to be the more natural ſtate of man; and, therefore, adds this

this qualifying parentheſis, If you are pleaſed to call ſuch a condition, natural. CHAP. VI.

But it ought to be obſerved, That if the premiſes of his argument be weakened by this clauſe, the ſame weakneſs muſt be communicated to the concluſion; and the concluſion, according to the rules of good reaſoning, ought to be, That juſtice is an artificial virtue, if you be pleaſed to call it artificial.

3. It were likewiſe to be wiſhed, that Mr HUME had ſhewn from fact, that there ever did exiſt ſuch a ſtate of man as that which he calls his more natural ſtate. It is a ſtate wherein a man borrows a ſum of money, on the condition that he is to reſtore it in a few days; yet when the time of payment comes, his obligation to repay what he borrowed is perfectly unintelligible and ſophiſtical. It would have been proper to have given at leaſt a ſingle inſtance of ſome tribe of the human race that was found to be in this natural ſtate. If no ſuch inſtance can be given, it is probably a ſtate merely imaginary; like that ſtate, which ſome have imagined, wherein men were *Ouran Outangs*, or wherein they were fiſhes with tails.

Indeed, ſuch a ſtate ſeems impoſſible. That a man ſhould lend without any conception of his having a right to be repaid; or that a man ſhould borrow on the condition of paying in a few days, and yet have no conception of his obligation, ſeems to me to involve a contradiction.

I grant, that a humane man may lend without any expectation of being repaid; but that he ſhould lend without any conception of a right to be repaid, is a contradiction. In like manner, a fraudulent man may borrow without an intention of paying back; but that he could borrow, while an obligation to repay is perfectly unintelligible to him, this is a contradiction.

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CHAP. VI. The ſame author, in his Enquiry into the Principles of Morals, ſect. 3. treating of the ſame ſubject, has the following note:

" 'Tis evident, that the will or conſent alone never transfers " property, nor cauſes the obligation of a promiſe, (for the ſame " reaſoning extends to both) but the will muſt be expreſſed by " words or ſigns, in order to impoſe a tie upon any man. The " expreſſion being once brought in as ſubſervient to the will, " ſoon becomes the principal part of the promiſe; nor will a " man be leſs bound by his word, though he ſecretly give a dif- " ferent direction to his intention, and with-hold the aſſent of " his mind. But though the expreſſion makes, on moſt occa- " ſions, the whole of the promiſe; yet it does not always ſo; " and one who ſhould make uſe of any expreſſion, of which he " knows not the meaning, and which he uſes without any ſenſe " of the conſequences, would not certainly be bound by it. " Nay, though he know its meaning; yet if he uſes it in jeſt " only, and with ſuch ſigns as ſhew evidently he has no ſerious " intention of binding himſelf, he would not be under any ob- " ligation of performance; but it is neceſſary that the words be " a perfect expreſſion of the will, without any contrary ſigns. " Nay, even this we muſt not carry ſo far as to imagine, that " one whom, from our quickneſs of underſtanding, we conjec- " ture to have an intention of deceiving us, is not bound by " his expreſſion or verbal promiſe, if we accept of it, but muſt " limit this concluſion to thoſe caſes, where the ſigns are of a " different nature from thoſe of deceit. All theſe contradic- " tions are eaſily accounted for, if juſtice ariſes entirely from " its uſefulneſs to ſociety, but will never be explained on any " other hypotheſis."

Here we have the opinion of this grave moraliſt and acute metaphyſician, that the principles of honeſty and fidelity are at bottom a bundle of contradictions. This is one part of his moral

moral ſyſtem which, I cannot help thinking, borders upon licentiouſneſs. It ſurely tends to give a very unfavourable notion of that cardinal virtue, without which no man has a title to be called an honeſt man. What regard can a man pay to the virtue of fidelity, who believes that its eſſential rules contradict each other? Can a man be bound by contradictory rules of conduct? No more, ſurely, than he can be bound to believe contradictory principles.

He tells us, "That all theſe contradictions are eaſily accounted for, if juſtice ariſes entirely from its uſefulneſs to ſociety, but will never be explained upon any other hypotheſis."

I know not indeed what is meant by accounting for contradictions, or explaining them. I apprehend, that no hypotheſis can make that which is a contradiction to be no contradiction. However, without attempting to account for theſe contradictions upon his own hypotheſis, he pronounces, in a deciſive tone, that they will never be explained upon any other hypotheſis.

What if it ſhall appear, that the contradictions mentioned in this paragraph, do all take their riſe from two capital miſtakes the author has made with regard to the nature of promiſes and contracts; and if, when theſe are corrected, there ſhall not appear a ſhadow of contradiction in the caſes put by him?

The firſt miſtake is, That a promiſe is ſome kind of will, conſent or intention, which may be expreſſed, or may not be expreſſed. This is to miſtake the nature of a promiſe: For no will, no conſent or intention, that is not expreſſed, is a promiſe. A promiſe, being a ſocial tranſaction between two parties, without being expreſſed can have no exiſtence.

Another capital miſtake that runs through the paſſage cited

is,

CHAP. VI. is, That this will, conſent or intention, which makes a promiſe, is a will or intention to perform what we promiſe. Every man knows that there may be a fraudulent promiſe, made without intention of performing. But the intention to perform the promiſe, or not to perform it, whether the intention be known to the other party or not, makes no part of the promiſe, it is a ſolitary act of the mind, and can neither conſtitute nor diſſolve an obligation. What makes a promiſe is, that it be expreſſed to the other party with underſtanding, and with an intention to become bound, and that it be accepted by him.

Carrying theſe remarks along with us, let us review the paſſage cited.

Firſt, He obſerves, that the will or conſent alone does not cauſe the obligation of a promiſe, but it muſt be expreſſed.

I anſwer: The will not expreſſed is not a promiſe; and is it a contradiction that that which is not a promiſe ſhould not cauſe the obligation of a promiſe? He goes on: The expreſſion being once brought in as ſubſervient to the will, ſoon *becomes* a principal part of the promiſe. Here it is ſuppoſed, that the expreſſion was not originally a conſtituent part of the promiſe, but it ſoon *becomes* ſuch. It is brought in to aid and be ſubſervient to the promiſe which was made before by the will. If Mr HUME had conſidered, that it is the expreſſion accompanied with underſtanding and will to become bound, that conſtitutes a promiſe, he would never have ſaid, that the expreſſion ſoon becomes a part, and is brought in as ſubſervient.

He adds, Nor will a man be leſs bound by his word, though he ſecretly gives a different direction to his intention, and withholds the aſſent of his mind.

The caſe here put needs ſome explication. Either it means, that

that the man knowingly and voluntarily gives his word, without any intention of giving his word; or that he gives it without the intention of keeping it, and performing what he promiſes. The laſt of theſe is indeed a poſſible caſe, and is, I apprehend, what Mr HUME means. But the intention of keeping his promiſe is no part of the promiſe, nor does it in the leaſt affect the obligation of it, as we have often obſerved.

If the Author meant that the man may knowingly and voluntarily give his word, without the intention of giving his word, this is impoſſible. For ſuch is the nature of all ſocial acts of the mind, that, as they cannot be without being expreſſed, ſo they cannot be expreſſed knowingly and willingly, but they muſt be. If a man puts a queſtion knowingly and willingly, it is impoſſible that he ſhould at the ſame time will not to put it. If he gives a command knowingly and willingly, it is impoſſible that he ſhould at the ſame time will not to give it. We cannot have contrary wills at the ſame time. And, in like manner, if a man knowingly and willingly becomes bound by a promiſe, it is impoſſible that he ſhould at the ſame time will not to be bound.

To ſuppoſe, therefore, that when a man knowingly and willingly gives his word, he with-holds that will and intention which makes a promiſe, is indeed a contradiction; but the contradiction is not in the nature of the promiſe, but in the caſe ſuppoſed by Mr HUME.

He adds, though the expreſſion, for the moſt part, makes the whole of the promiſe, it does not always ſo.

I anſwer, That the expreſſion, if it is not accompanied with underſtanding, and will to engage, never makes a promiſe. The Author here aſſumes a poſtulate, which no body ever granted, and which can only be grounded on the impoſſible ſuppoſition made in the former ſentence. And as there can be no promiſe without knowledge, and will to engage, is it marvellous that

CHAP. VI. words which are not underſtood, or words ſpoken in jeſt, and without any intention to become bound, ſhould not have the effect of a promiſe?

The laſt caſe put by Mr HUME, is that of a man who promiſes fraudulently with an intention not to perform, and whoſe fraudulent intention is diſcovered by the other party, who, notwithſtanding, accepts the promiſe. He is bound, ſays Mr HUME, by his verbal promiſe. Undoubtedly he is bound, becauſe an intention not to perform the promiſe, whether known to the other party or not, makes no part of the promiſe, nor affects its obligation, as has been repeatedly obſerved.

From what has been ſaid, I think it evident, that to one who attends to the nature of a promiſe or contract, there is not the leaſt appearance of contradiction in the principles of morality relating to contracts.

It would indeed appear wonderful, that ſuch a man as Mr HUME ſhould have impoſed upon himſelf in ſo plain a matter, if we did not ſee frequent inſtances of ingenious men, whoſe zeal in ſupporting a favourite hypotheſis, darkens their underſtanding, and hinders them from ſeeing what is before their eyes.

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CHAP. VII.

That moral Approbation implies a real Judgment.

THE approbation of good actions, and diſapprobation of bad, are ſo familiar to every man come to years of underſtanding, that it ſeems ſtrange there ſhould be any diſpute about their nature.

Whether we reflect upon our own conduct, or attend to the conduct of others with whom we live, or of whom we hear or read, we cannot help approving of ſome things, diſapproving of others, and regarding many with perfect indifference.

Theſe operations of our minds we are conſcious of every day, and almoſt every hour we live. Men of ripe underſtanding are capable of reflecting upon them, and of attending to what paſſes in their own thoughts on ſuch occaſions; yet, for half a century, it has been a ſerious diſpute among Philoſophers, what this approbation and diſapprobation is, Whether there be a real judgment included in it, which, like all other judgments, muſt be true or falſe; or, Whether it include no more but ſome agreeable or uneaſy feeling, in the perſon who approves or diſapproves.

Mr HUME obſerves very juſtly, that this is a controverſy *ſtarted of late*. Before the modern ſyſtem of ideas and impreſſions was introduced, nothing would have appeared more abſurd, than to ſay, That when I condemn a man for what he has done, I paſs no judgment at all about the man, but only expreſs ſome uneaſy feeling in myſelf.

Nor did the new ſyſtem produce this diſcovery at once, but gradually, by ſeveral ſteps, according as its conſequences were

CHAP. VII. more accurately traced, and its ſpirit more thoroughly imbibed by ſucceſſive Philoſophers.

DES CARTES and Mr LOCKE went no farther than to maintain that the ſecondary qualities of body, heat and cold, ſound, colour, taſte and ſmell, which we perceive and judge to be in the external object, are mere feelings or ſenſations in our minds, there being nothing in bodies themſelves to which theſe names can be applied; and that the office of the external ſenſes is not to judge of external things, but only to give us ideas or ſenſations, from which we are by reaſoning to deduce the exiſtence of a material world without us, as well as we can.

ARTHUR COLLIER and Biſhop BERKELEY diſcovered, from the ſame principles, that the primary, as well as the ſecondary, qualities of bodies, ſuch as extenſion, figure, ſolidity, motion, are only ſenſations in our minds; and therefore, that there is no material world without us at all.

The ſame philoſophy, when it came to be applied to matters of taſte, diſcovered that beauty and deformity are not any thing in the objects, to which men, from the beginning of the world, aſcribed them, but certain feelings in the mind of the ſpectator.

The next ſtep was an eaſy conſequence from all the preceding, that moral approbation and diſapprobation are not judgments, which muſt be true or falſe, but barely, agreeable and uneaſy feelings or ſenſations.

Mr HUME made the laſt ſtep in this progreſs, and crowned the ſyſtem by what he calls his *hypotheſis*, to wit, That belief is more properly an act of the ſenſitive, than of the cogitative part of our nature.

Beyond this I think no man can go in this track; ſenſation or feeling

feeling is all, and what is left to the cogitative part of our nature, I am not able to comprehend. CHAP. VII.

I have had occaſion to conſider each of theſe paradoxes, excepting that which relates to morals, in *Eſſays on the Intellectual Powers of Man*; and, though they be ſtrictly connected with each other, and with the ſyſtem which has produced them, I have attempted to ſhew, that they are inconſiſtent with juſt notions of our intellectual powers, no leſs than they are with the common ſenſe and common language of mankind. And this, I think, will likewiſe appear with regard to the concluſion relating to morals, to wit, That moral approbation is only an agreeable feeling, and not a real judgment.

To prevent ambiguity as much as poſſible, let us attend to the meaning of *feeling* and of *judgment*. Theſe operations of the mind, perhaps, cannot be logically defined; but they are well underſtood, and eaſily diſtinguiſhed, by their properties and adjuncts.

Feeling, or ſenſation, ſeems to be the loweſt degree of animation we can conceive. We give the name of *animal* to every being that feels pain or pleaſure; and this ſeems to be the boundary between the inanimate and animal creation.

We know no being of ſo low a rank in the creation of God, as to poſſeſs this animal power only without any other.

We commonly diſtinguiſh *feeling* from *thinking*, becauſe it hardly deſerves the name; and though it be, in a more general ſenſe, a ſpecies of thought, is leaſt removed from the paſſive and inert ſtate of things inanimate.

A feeling muſt be agreeable, or uneaſy, or indifferent. It may be weak or ſtrong. It is expreſſed in language either by a ſingle word, or by ſuch a contexture of words as may be the ſubject

CHAP. VII. ſubject or predicate of a propoſition, but ſuch as cannot by themſelves make a propoſition. For it implies neither affirmation nor negation; and therefore cannot have the qualities of true or falſe, which diſtinguiſh propoſitions from all other forms of ſpeech, and judgments from all other acts of the mind.

That I have ſuch a feeling, is indeed an affirmative propoſition, and expreſſes teſtimony grounded upon an intuitive judgment. But the feeling is only one term of this propoſition; and it can only make a propoſition when joined with another term, by a verb affirming or denying.

As feeling diſtinguiſhes the animal nature from the inanimate; ſo judging ſeems to diſtinguiſh the rational nature from the merely animal.

Though judgment in general is expreſſed by one word in language, as the moſt complex operations of the mind may be; yet a particular judgment can only be expreſſed by a ſentence, and by that kind of ſentence which Logicians call a *propoſition*, in which there muſt neceſſarily be a verb in the indicative mood, either expreſſed or underſtood.

Every judgment muſt neceſſarily be true or falſe, and the ſame may be ſaid of the propoſition which expreſſes it. It is a determination of the underſtanding, with regard to what is true, or falſe, or dubious.

In judgment, we can diſtinguiſh the object about which we judge, from the act of the mind in judging of that object. In mere feeling there is no ſuch diſtinction. The object of judgment muſt be expreſſed by a propoſition; and belief, diſbelief or doubt, always accompanies the judgment we form. If we judge the propoſition to be true, we muſt believe it; if we judge it to be falſe, we muſt diſbelieve it; and if we be uncertain whether it be true or falſe, we muſt doubt.

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The *toothach*, the *headach*, are words which expreſs uneaſy feelings; but to ſay that they expreſs a judgment would be ridiculous.

That the ſun is greater than the earth, is a propoſition, and therefore the object of judgment; and when affirmed or denied, believed or diſbelieved, or doubted, it expreſſes judgment; but to ſay that it expreſſes only a feeling in the mind of him that believes it, would be ridiculous.

Theſe two operations of mind, when we conſider them ſeparately, are very different, and eaſily diſtinguiſhed. When we feel without judging, or judge without feeling, it is impoſſible, without very groſs inattention, to miſtake the one for the other.

But in many operations of the mind, both are inſeparably conjoined under one name; and when we are not aware that the operation is complex, we may take one ingredient to be the whole, and overlook the other.

In former ages, that moral power, by which human actions ought to be regulated, was called *reaſon*, and conſidered both by Philoſophers, and by the vulgar, as the power of judging what we ought, and what we ought not to do.

This is very fully expreſſed by Mr HUME, in his Treatiſe of Human Nature, Book II. Part III. § 3. "Nothing is more uſual in "philoſophy, and even in common life, than to talk of the com-"bat of paſſion and reaſon, to give the preference to reaſon, "and aſſert that men are only ſo far virtuous as they conform "themſelves to its dictates. Every rational creature, 'tis ſaid, "is obliged to regulate his actions by reaſon; and if any other "motive or principle challenge the direction of his conduct, he "ought to oppoſe it, till it be entirely ſubdued, or, at leaſt, "brought to a conformity to that ſuperior principle. On this "method

CHAP. VII. " method of thinking, the greateſt part of moral philoſophy, " ancient and modern, ſeems to be founded."

That thoſe Philoſophers attended chiefly to the judging power of our moral faculty, appears from the names they gave to its operations, and from the whole of their language concerning it.

The modern philoſophy has led men to attend chiefly to their ſenſations and feelings, and thereby to reſolve into mere feeling, complex acts of the mind, of which feeling is only one ingredient.

I had occaſion, in the preceding Eſſays, to obſerve, That ſeveral operations of the mind, to which we give one name, and conſider as one act, are compounded of more ſimple acts inſeparably united in our conſtitution, and that in theſe, ſenſation or feeling often makes one ingredient.

Thus the appetites of hunger and thirſt are compounded of an uneaſy ſenſation, and the deſire of food or drink. In our benevolent affections, there is both an agreeable feeling, and a deſire of happineſs to the object of our affection; and malevolent affections have ingredients of a contrary nature.

In theſe inſtances, ſenſation or feeling is inſeparably conjoined with deſire. In other inſtances, we find ſenſation inſeparably conjoined with judgment or belief, and that in two different ways. In ſome inſtances, the judgment or belief ſeems to be the conſequence of the ſenſation, and to be regulated by it. In other inſtances, the ſenſation is the conſequence of the judgment.

When we perceive an external object by our ſenſes, we have a ſenſation conjoined with a firm belief of the exiſtence and ſenſible

ſenſible qualities of the external object. Nor has all the ſubtilty of metaphyſics been able to disjoin what nature has conjoined in our conſtitution. DES CARTES and LOCKE endeavoured, by reaſoning, to deduce the exiſtence of external objects from our ſenſations, but in vain. Subſequent Philoſophers, finding no reaſon for this connection, endeavoured to throw off the belief of external objects as being unreaſonable; but this attempt is no leſs vain. Nature has doomed us to believe the teſtimony of our ſenſes, whether we can give a good reaſon for doing ſo or not.

In this inſtance, the belief or judgment is the conſequence of the ſenſation, as the ſenſation is the conſequence of the impreſſion made on the organ of ſenſe.

But in moſt of the operations of mind in which judgment or belief is combined with feeling, the feeling is the conſequence of the judgment, and is regulated by it.

Thus, an account of the good conduct of a friend at a diſtance gives me a very agreeable feeling, and a contrary account would give me a very uneaſy feeling; but theſe feelings depend entirely upon my belief of the report.

In hope, there is an agreeable feeling, depending upon the belief or expectation of good to come: Fear is made up of contrary ingredients; in both, the feeling is regulated by the degree of belief.

In the reſpect we bear to the worthy, and in our contempt of the worthleſs, there is both judgment and feeling, and the laſt depends entirely upon the firſt.

The ſame may be ſaid of gratitude for good offices and reſentment of injuries.

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Let me now conſider how I am affected when I ſee a man exerting himſelf nobly in a good cauſe. I am conſcious that the effect of his conduct on my mind is complex, though it may be called by one name. I look up to his virtue, I approve, I admire it. In doing ſo, I have pleaſure indeed, or an agreeable feeling; this is granted. But I find myſelf intereſted in his ſucceſs and in his fame. This is affection; it is love and eſteem, which is more than mere feeling. The man is the object of this eſteem; but in mere feeling there is no object.

I am likewiſe conſcious, that this agreeable feeling in me, and this eſteem of him, depend entirely upon the judgment I form of his conduct. I judge that this conduct merits eſteem; and, while I thus judge, I cannot but eſteem him, and contemplate his conduct with pleaſure. Perſuade me that he was bribed, or that he acted from ſome mercenary or bad motive, immediately my eſteem and my agreeable feeling vaniſh.

In the approbation of a good action, therefore, there is feeling indeed, but there is alſo eſteem of the agent; and both the feeling and the eſteem depend upon the judgment we form of his conduct.

When I exerciſe my moral faculty about my own actions or thoſe of other men, I am conſcious that I judge as well as feel. I accuſe and excuſe, I acquit and condemn, I aſſent and diſſent, I believe and diſbelieve, and doubt. Theſe are acts of judgment, and not feelings.

Every determination of the underſtanding, with regard to what is true or falſe, is judgment. That I ought not to ſteal, or to kill, or to bear falſe witneſs, are propoſitions, of the truth of which I am as well convinced as of any propoſition in EUCLID. I am conſcious that I judge them to be true propoſitions; and

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my conſciouſneſs makes all other arguments unneceſſary, with regard to the operations of my own mind. CHAP. VII.

That other men judge, as well as feel, in ſuch caſes, I am convinced, becauſe they underſtand me when I expreſs my moral judgment, and expreſs theirs by the ſame terms and phraſes.

Suppoſe that, in a caſe well known to both, my friend ſays, *Such a man did well and worthily, his conduct is highly approvable.* This ſpeech, according to all rules of interpretation, expreſſes my friend's judgment of the man's conduct. This judgment may be true or falſe, and I may agree in opinion with him, or I may diſſent from him without offence, as we may differ in other matters of judgment.

Suppoſe, again, that, in relation to the ſame caſe, my friend ſays, *The man's conduct gave me a very agreeable feeling.*

This ſpeech, if approbation be nothing but an agreeable feeling, muſt have the very ſame meaning with the firſt, and expreſs neither more nor leſs. But this cannot be, for two reaſons.

Firſt, Becauſe there is no rule in grammar or rhetoric, nor any uſage in language, by which theſe two ſpeeches can be conſtrued, ſo as to have the ſame meaning. The *firſt* expreſſes plainly an opinion or judgment of the conduct of the man, but ſays nothing of the ſpeaker. The *ſecond* only teſtifies a fact concerning the ſpeaker, to wit, that he had ſuch a feeling.

Another reaſon why theſe two ſpeeches cannot mean the ſame thing is, that the firſt may be contradicted without any ground of offence, ſuch contradiction being only a difference of opinion, which, to a reaſonable man, gives no offence. But the ſecond ſpeech cannot be contradicted without an affront; for, as every

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man must know his own feelings, to deny that a man had a feeling which he affirms he had, is to charge him with falsehood.

If moral approbation be a real judgment, which produces an agreeable feeling in the mind of him who judges, both speeches are perfectly intelligible, in the most obvious and literal sense. Their meaning is different, but they are related, so that the one may be inferred from the other, as we infer the effect from the cause, or the cause from the effect. I know, that what a man judges to be a very worthy action, he contemplates with pleasure; and what he contemplates with pleasure must, in his judgment, have worth. But the judgment and the feeling are different acts of his mind, though connected as cause and effect. He can express either the one or the other with perfect propriety; but the speech which expresses his feeling is altogether improper and inept to express his judgment, for this evident reason, that judgment and feeling, though in some cases connected, are things in their nature different.

If we suppose, on the other hand, that moral approbation is nothing more than an agreeable feeling, occasioned by the contemplation of an action, the second speech above mentioned has a distinct meaning, and expresses all that is meant by moral approbation. But the first speech either means the very same thing, (which cannot be, for the reasons already mentioned) or it has no meaning.

Now, we may appeal to the Reader, whether, in conversation upon human characters, such speeches as the first are not as frequent, as familiar, and as well understood, as any thing in language; and whether they have not been common in all ages that we can trace, and in all languages?

This doctrine, therefore, That moral approbation is merely a feeling without judgment, necessarily carries along with it this consequence,

conſequence, that a form of ſpeech, upon one of the moſt common topics of diſcourſe, which either has no meaning, or a meaning irreconcilable to all rules of grammar or rhetoric, is found to be common and familiar in all languages and in all ages of the world, while every man knows how to expreſs the meaning, if it have any, in plain and proper language.

Such a conſequence I think ſufficient to ſink any philoſophical opinion on which it hangs.

A particular language may have ſome oddity, or even abſurdity, introduced by ſome man of eminence, from caprice or wrong judgment, and followed, by ſervile imitators, for a time, till it be detected, and, of conſequence, diſcountenanced and dropt; but that the ſame abſurdity ſhould pervade all languages, through all ages, and that, after being detected and expoſed, it ſhould ſtill keep its countenance and its place in language as much as before, this can never be while men have underſtanding.

It may be obſerved by the way, that the ſame argument may be applied, with equal force, againſt thoſe other paradoxical opinions of modern philoſophy, which we before mentioned as connected with this, ſuch as, that beauty and deformity are not at all in the objects to which language univerſally aſcribes them, but are merely feelings in the mind of the ſpectator; that the ſecondary qualities are not in external objects, but are merely feelings or ſenſations in him that perceives them; and, in general, that our external and internal ſenſes are faculties by which we have ſenſations or feelings only, but by which we do not judge.

That every form of ſpeech, which language affords to expreſs our judgments, ſhould, in all ages, and in all languages, be uſed to expreſs what is no judgment; and that feelings, which are eaſily

CHAP. VII. eaſily expreſſed in proper language, ſhould as univerſally be expreſſed by language altogether improper and abſurd, I cannot believe; and therefore muſt conclude, that if language be the expreſſion of thought, men judge of the primary and ſecondary qualities of body by their external ſenſes, of beauty and deformity by their taſte, and of virtue and vice by their moral faculty.

A truth ſo evident as this is, can hardly be obſcured and brought into doubt, but by the abuſe of words. And much abuſe of words there has been upon this ſubject. To avoid this, as much as poſſible, I have uſed the word *judgment*, on one ſide, and *ſenſation* or *feeling*, upon the other; becauſe theſe words have been leaſt liable to abuſe or ambiguity. But it may be proper to make ſome obſervations upon other words that have been uſed in this controverſy.

Mr HUME, in his Treatiſe of Human Nature, has employed two ſections upon it, the titles of which are, *Moral Diſtinctions not derived from Reaſon*, and *Moral Diſtinctions derived from a Moral Senſe*.

When he is not, by cuſtom, led unawares to ſpeak of reaſon like other men, he limits that word to ſignify only the power of judging in matters merely ſpeculative. Hence he concludes, "That reaſon of itſelf is inactive and perfectly inert." That "actions may be laudable or blameable, but cannot be reaſonable or unreaſonable." That "it is not contrary to reaſon, "to prefer the deſtruction of the whole world to the ſcratching of my finger." That "it is not contrary to reaſon, for "me to chuſe my total ruin to prevent the leaſt uneaſineſs of "an Indian, or of a perſon wholly unknown to me." That "reaſon is, and ought only to be, the ſlave of the paſſions, and "can never pretend to any other office, than to ſerve and obey "them."

If

If we take the word *reaſon* to mean what common uſe, both of Philoſophers, and of the vulgar, hath made it to mean, theſe maxims are not only falſe, but licentious. It is only his abuſe of the words *reaſon* and *paſſion*, that can juſtify them from this cenſure.

The meaning of a common word is not to be aſcertained by philoſophical theory, but by common uſage; and if a man will take the liberty of limiting or extending the meaning of common words at his pleaſure, he may, like MANDEVILLE, inſinuate the moſt licentious paradoxes with the appearance of plauſibility. I have before made ſome obſervations upon the meaning of this word, Eſſay II. chap. 2. and Eſſay III. part 3. chap. 1. to which the Reader is referred.

When Mr HUME derives moral diſtinctions from a moral ſenſe, I agree with him in words, but we differ about the meaning of the word *ſenſe*. Every power to which the name of a ſenſe has been given, is a power of judging of the objects of that ſenſe, and has been accounted ſuch in all ages; the moral ſenſe therefore is the power of judging in morals. But Mr HUME will have the moral ſenſe to be only a power of feeling, without judging: This I take to be an abuſe of a word.

Authors who place moral approbation in feeling only, very often uſe the word *ſentiment*, to expreſs feeling without judgment. This I take likewiſe to be an abuſe of a word. Our moral determinations may, with propriety, be called *moral ſentiments*. For the word *ſentiment*, in the Engliſh language, never, as I conceive, ſignifies mere feeling, but judgment accompanied with feeling. It was wont to ſignify opinion or judgment of any kind, but, of late, is appropriated to ſignify an opinion or judgment, that ſtrikes, and produces ſome agreeable or uneaſy emotion. So we ſpeak of ſentiments of reſpect, of eſteem, of gratitude. But I never heard the pain of the gout, or any other mere feeling, called a ſentiment.

Even

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Even the word *judgment* has been uſed by Mr HUME to expreſs what he maintains to be only a feeling. Treatiſe of Human Nature, part 3. page 3. "The term *perception* is no leſs applicable to thoſe *judgments* by which we diſtinguiſh moral good "and evil, than to every other operation of the mind." Perhaps he uſed this word inadvertently; for I think there cannot be a greater abuſe of words, than to put judgment for what he held to be mere feeling.

All the words moſt commonly uſed, both by Philoſophers and by the vulgar, to expreſs the operations of our moral faculty, ſuch as, *deciſion*, *determination*, *ſentence*, *approbation*, *diſapprobation*, *applauſe*, *cenſure*, *praiſe*, *blame*, neceſſarily imply judgment in their meaning. When, therefore, they are uſed by Mr HUME, and others who hold his opinion, to ſignify feelings only, this is an abuſe of words. If theſe Philoſophers wiſh to ſpeak plainly and properly, they muſt, in diſcourſing of morals, diſcard theſe words altogether, becauſe their eſtabliſhed ſignification in the language, is contrary to what they would expreſs by them.

They muſt likewiſe diſcard from morals the words *ought* and *ought not*, which very properly expreſs judgment, but cannot be applied to mere feelings. Upon theſe words Mr HUME has made a particular obſervation in the concluſion of his firſt ſection above mentioned. I ſhall give it in his own words, and make ſome remarks upon it.

"I cannot forbear adding to theſe reaſonings, an obſervation "which may, perhaps, be found of ſome importance. In eve-"ry ſyſtem of morality which I have hitherto met with, I have "always remarked, that the Author proceeds for ſome time in "the ordinary way of reaſoning, and eſtabliſhes the being of a "GOD, or makes obſervations concerning human affairs; when, "of a ſudden, I am ſurpriſed to find, that, inſtead of the uſual "copulations of propoſitions, *is*, and *is not*, I meet with no pro-"poſition that is not connected with an *ought*, or an *ought not*.

"This

" This change is imperceptible, but is, however, of the laſt con-
" ſequence. For as this *ought* or *ought not* expreſſes ſome new
" relation or affirmation, 'tis neceſſary that it ſhould be obſerved
" and explained; and, at the ſame time, that a reaſon ſhould be
" given for what ſeems altogether inconceivable; how this
" new relation can be a deduction from others which are en-
" tirely different from it. But as Authors do not commonly uſe
" this precaution, I ſhall preſume to recommend it to the Read-
" ers; and am perſuaded, that this ſmall attention would ſub-
" vert all the vulgar ſyſtems of morality, and let us ſee, that
" the diſtinction of vice and virtue, is not founded merely on
" the relations of objects, nor is perceived by reaſon."

We may here obſerve, that it is acknowledged, that the words *ought* and *ought not* expreſs ſome relation or affirmation; but a relation or affirmation which Mr HUME thought inexplicable, or, at leaſt, inconſiſtent with his ſyſtem of morals. He muſt, therefore, have thought, that they ought not to be uſed in treating of that ſubject.

He likewiſe makes two demands, and, taking it for granted that they cannot be ſatisfied, is perſuaded, that an attention to this is ſufficient to ſubvert all the vulgar ſyſtems of morals.

The *firſt* demand is, that *ought* and *ought not* be explained.

To a man that underſtands Engliſh, there are ſurely no words that require explanation leſs. Are not all men taught, from their early years, that they ought not to lie, nor ſteal, nor ſwear falſely? But Mr HUME thinks, that men never underſtood what theſe precepts mean, or rather that they are unintelligible. If this be ſo, I think indeed it will follow, that all the vulgar ſyſtems of morals are ſubverted.

CHAP. VII. Dr JOHNSON, in his Dictionary, explains the word *ought* to ſignify, being obliged by duty; and I know no better explication that can be given of it. The Reader will ſee what I thought neceſſary to ſay concerning the moral relation expreſſed by this word, in Eſſay III. part 3. chap. 5.

The *ſecond* demand is, That a reaſon ſhould be given why this relation ſhould be a deduction from others which are entirely different from it.

This is to demand a reaſon for what does not exiſt. The firſt principles of morals are not deductions. They are ſelf-evident; and their truth, like that of other axioms, is perceived without reaſoning or deduction. And moral truths that are not ſelf-evident, are deduced, not from relations quite different from them, but from the firſt principles of morals.

In a matter ſo intereſting to mankind, and ſo frequently the ſubject of converſation among the learned and the unlearned as morals is, it may ſurely be expected, that men will expreſs both their judgments and their feelings with propriety, and conſiſtently with the rules of language. An opinion, therefore, which makes the language of all ages and nations, upon this ſubject, to be improper, contrary to all rules of language, and fit to be diſcarded, needs no other refutation.

As mankind have, in all ages, underſtood *reaſon* to mean the power by which not only our ſpeculative opinions, but our actions ought to be regulated, we may ſay, with perfect propriety, that all vice is contrary to reaſon; that, by reaſon, we are to judge of what we ought to do, as well as of what we ought to believe.

But though all vice be contrary to reaſon, I conceive that it would

would not be a proper definition of vice to ſay, that it is a conduct contrary to reaſon, becauſe this definition would apply equally to folly, which all men diſtinguiſh from vice. CHAP. VII.

There are other phraſes which have been uſed on the ſame ſide of the queſtion, which I ſee no reaſon for adopting, ſuch as, *acting contrary to the relations of things*, contrary *to the reaſon of things, to the fitneſs of things, to the truth of things, to abſolute fitneſs.* Theſe phraſes have not the authority of common uſe, which, in matters of language, is great. They ſeem to have been invented by ſome authors, with a view to explain the nature of vice; but I do not think they anſwer that end. If intended as definitions of vice, they are improper; becauſe, in the moſt favourable ſenſe they can bear, they extend to every kind of fooliſh and abſurd conduct, as well as to that which is vicious.

I ſhall conclude this chapter with ſome obſervations upon the five arguments which Mr HUME has offered upon this point in his Enquiry.

The *firſt* is, That it is impoſſible that the hypotheſis he oppoſes, can, in any particular inſtance, be ſo much as rendered intelligible, whatever ſpecious figure it may make in general diſcourſe. "Examine, ſays he, the crime of *ingratitude*, anato-"mize all its circumſtances, and examine, by your reaſon "alone, in what conſiſts the demerit or blame, you will never "come to any iſſue or concluſion."

I think it unneceſſary to follow him through all the accounts of ingratitude which he conceives may be given by thoſe whom he oppoſes, becauſe I agree with him in that which he himſelf adopts, to wit, "That this crime ariſes from a complication of "circumſtances, which, being preſented to the ſpectator, excites

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" the ſentiment of blame by the particular ſtructure and fabric " of his mind."

This he thought a true and intelligible account of the criminality of ingratitude. So do I. And therefore I think the hypotheſis he oppoſes is intelligible, when applied to a particular inſtance.

Mr HUME, no doubt, thought, that the account he gives of ingratitude is inconſiſtent with the hypotheſis he oppoſes, and could not be adopted by thoſe who hold that hypotheſis. He could be led to think ſo, only by taking for granted one of theſe two things. Either, *firſt*, That the *ſentiment of blame* is a feeling only, without judgment; or, *ſecondly*, That whatever is excited by the particular fabric and ſtructure of the mind muſt be feeling only, and not judgment. But I cannot grant either the one or the other.

For, as to the *firſt*, it ſeems evident to me, that both *ſentiment* and *blame* imply judgment; and, therefore, that the *ſentiment of blame* is a judgment accompanied with feeling, and not mere feeling without judgment.

The *ſecond* can as little be granted; for no operation of mind, whether judgment or feeling, can be excited but by that particular ſtructure and fabric of the mind which makes us capable of that operation.

By that part of our fabric which we call *the faculty of ſeeing*, we judge of viſible objects; by *taſte*, another part of our fabric, we judge of beauty and deformity; by that part of our fabric, which enables us to form abſtract conceptions, to compare them, and perceive their relations, we judge of abſtract truths; and by that part of our fabric which we call the *moral faculty*, we judge

judge of virtue and vice. If we ſuppoſe a being without any moral faculty in his fabric, I grant that he could not have the ſentiments of blame and moral approbation. CHAP. VII.

There are, therefore, judgments, as well as feelings, that are excited by the particular ſtructure and fabric of the mind. But there is this remarkable difference between them, That every judgment is, in its own nature, true or falſe; and though it depends upon the fabric of a mind, whether it have ſuch a judgment or not, it depends not upon that fabric whether the judgment be true or not. A true judgment will be true, whatever be the fabric of the mind; but a particular ſtructure and fabric is neceſſary, in order to our perceiving that truth. Nothing like this can be ſaid of mere feelings, becauſe the attributes of true or falſe do not belong to them.

Thus I think it appears, that the hypotheſis which Mr HUME oppoſes is not unintelligible, when applied to the particular inſtance of ingratitude; becauſe the account of ingratitude which he himſelf thinks true and intelligible, is perfectly agreeable to it.

The *ſecond* argument amounts to this: That in moral deliberation, we muſt be acquainted before-hand with all the objects and all their relations. After theſe things are known, the underſtanding has no farther room to operate. Nothing remains but to feel, on our part, ſome ſentiment of blame or approbation.

Let us apply this reaſoning to the office of a judge. In a cauſe that comes before him, he muſt be made acquainted with all the objects, and all their relations. After this, his underſtanding has no farther room to operate. Nothing remains, on his part, but

CHAP. VII. but to feel the right or the wrong; and mankind have, very abſurdly, called him a *judge:* he ought to be called a *feeler*.

To anſwer this argument more directly: The man who deliberates, after all the objects and relations mentioned by Mr HUME are known to him, has a point to determine; and that is, whether the action under his deliberation ought to be done or ought not. In moſt caſes, this point will appear ſelf-evident to a man who has been accuſtomed to exerciſe his moral judgment; in ſome caſes it may require reaſoning.

In like manner, the judge, after all the circumſtances of the cauſe are known, has to judge, whether the plaintiff has a juſt plea or not.

The *third* argument is taken from the analogy between moral beauty and natural, between moral ſentiment and taſte. As beauty is not a quality of the object, but a certain feeling of the ſpectator, ſo virtue and vice are not qualities in the perſons to whom language aſcribes them, but feelings of the ſpectator.

But is it certain that beauty is not any quality of the object? This is indeed a paradox of modern philoſophy, built upon a philoſophical theory; but a paradox ſo contrary to the common language and common ſenſe of mankind, that it ought rather to overturn the theory on which it ſtands, than receive any ſupport from it. And if beauty be really a quality of the object, and not merely a feeling of the ſpectator, the whole force of this argument goes over to the other ſide of the queſtion.

"EUCLID, he ſays, has fully explained all the qualities of "the circle, but has not, in any propoſition, ſaid a word of its "beauty. The reaſon is evident. The beauty is not a quality "of the circle."

By

By the *qualities of the circle*, he muſt mean its properties; and there are here two miſtakes. CHAP. VII.

Firſt, EUCLID has not fully explained all the properties of the circle. Many have been diſcovered and demonſtrated which he never dreamt of.

Secondly, The reaſon why EUCLID has not ſaid a word of the beauty of the circle, is not, *that beauty is not a quality of the circle*; the reaſon is, that EUCLID never digreſſes from his ſubject. His purpoſe was to demonſtrate the mathematical properties of the circle. Beauty is a quality of the circle, not demonſtrable by mathematical reaſoning, but immediately perceived by a good taſte. To ſpeak of it would have been a digreſſion from his ſubject; and that is a fault he is never guilty of.

The *fourth* argument is, That inanimate objects may bear to each other all the ſame relations which we obſerve in moral agents.

If this were true, it would be very much to the purpoſe; but it ſeems to be thrown out raſhly, without any attention to its evidence. Had Mr HUME reflected but a very little upon this dogmatical aſſertion, a thouſand inſtances would have occurred to him in direct contradiction to it.

May not one animal be more tame, or more docile, or more cunning, or more fierce, or more ravenous, than another? Are theſe relations to be found in inanimate objects? May not one man be a better painter, or ſculptor, or ſhip-builder, or tailor, or ſhoemaker, than another? Are theſe relations to be found in inanimate objects, or even in brute-animals? May not one moral agent be more juſt, more pious, more attentive to any moral duty, or more eminent in any moral virtue, than another? Are not

CHAP. VII. not theſe relations peculiar to moral agents? But to come to the relations moſt eſſential to morality.

When I ſay that *I ought to do ſuch an action*, that *it is my duty*, do not theſe words expreſs a relation between me and a certain action in my power; a relation which cannot be between inanimate objects, or between any other objects but a moral agent and his moral actions; a relation which is well underſtood by all men come to years of underſtanding, and expreſſed in all languages?

Again, when in deliberating about two actions in my power, which cannot both be done, I ſay *this* ought to be preferred to the other; that juſtice, for inſtance, ought to be preferred to generoſity; I expreſs a moral relation between two actions of a moral agent, which is well underſtood, and which cannot exiſt between objects of any other kind.

There are, therefore, moral relations which can have no exiſtence but between moral agents and their voluntary actions. To determine theſe relations is the object of morals; and to determine relations is the province of judgment, and not of mere feeling.

The *laſt* argument is a chain of ſeveral propoſitions, which deſerve diſtinct conſideration. They may, I think, be ſummed up in theſe four: 1. There muſt be ultimate ends of action, beyond which it is abſurd to aſk a reaſon of acting. 2. The ultimate ends of human actions can never be accounted for by reaſon; 3. but recommend themſelves entirely to the ſentiments and affections of mankind, without any dependence on the intellectual faculties. 4. As virtue is an end, and is deſirable on its own account, without fee or reward, merely for the immediate ſatisfaction it conveys; it is requiſite, that there ſhould be ſome ſenti-

ment

ment which it touches, ſome internal taſte or feeling, or what- CHAP. VII.
ever you pleaſe to call it, which diſtinguiſhes moral good and evil, and which embraces the one and rejects the other.

To the *firſt* of theſe propoſitions I entirely agree. The ultimate ends of action are what I have called *the principles of action*, which I have endeavoured, in the third Eſſay, to enumerate, and to claſs under three heads of mechanical, animal and rational.

The *ſecond* propoſition needs ſome explication. I take its meaning to be, That there cannot be another end, for the ſake of which an ultimate end is purſued: For the reaſon of an action means nothing but the end for which the action is done; and the reaſon of an end of action can mean nothing but another end, for the ſake of which that end is purſued, and to which it is the means.

That this is the author's meaning is evident from his reaſoning in confirmation of it. "Aſk a man, *why he uſes exerciſe?* "he will anſwer, *becauſe he deſires to keep his health.* If you then "enquire, *why he deſires health?* he will readily reply, *becauſe* "*ſickneſs is painful.* If you puſh your enquiries further, and de- "ſire a reaſon why he hates pain, it is impoſſible he can ever "give any. This is an ultimate end, and is never referred to "any other object." To account by reaſon for an end, therefore, is to ſhow another end, for the ſake of which that end is deſired and purſued. And that, in this ſenſe, an ultimate end can never be accounted for by reaſon, is certain, becauſe that cannot be an ultimate end which is purſued only for the ſake of another end.

I agree therefore with Mr HUME in this ſecond propoſition, which indeed is implied in the firſt.

CHAP. VII. The *third* propoſition is, That ultimate ends recommend themſelves entirely to the ſentiments and affections of mankind, without any dependence on the intellectual faculties.

By *ſentiments* he muſt here mean feelings without judgment, and by *affections*, ſuch affections as imply no judgment. For ſurely any operation that implies judgment, cannot be independent of the intellectual faculties.

This being underſtood, I cannot aſſent to this propoſition.

The Author ſeems to think it implied in the preceding, or a neceſſary conſequence from it, that becauſe an ultimate end cannot be accounted for by reaſon; that is, cannot be purſued merely for the ſake of another end; therefore it can have no dependence on the intellectual faculties. I deny this conſequence, and can ſee no force in it.

I think it not only does not follow from the preceding propoſition, but that it is contrary to truth.

A man may act from gratitude as an ultimate end; but gratitude implies a judgment and belief of favours received, and therefore is dependent on the intellectual faculties. A man may act from reſpect to a worthy character as an ultimate end; but this reſpect neceſſarily implies a judgment of worth in the perſon, and therefore is dependent on the intellectual faculties.

I have endeavoured in the third Eſſay before mentioned, to ſhew that, beſide the animal principles of our nature, which require will and intention, but not judgment, there are alſo in human nature rational principles of action, or ultimate ends, which have, in all ages, been called rational, and have a juſt title

title to that name, not only from the authority of language, but becauſe they can have no exiſtence but in beings endowed with reaſon, and becauſe, in all their exertions, they require not only intention and will, but judgment or reaſon.

Therefore, until it can be proved that an ultimate end cannot be dependent on the intellectual faculties, this third propoſition, and all that hangs upon it, muſt fall to the ground.

The *laſt* propoſition aſſumes, with very good reaſon, That virtue is an ultimate end, and deſirable on its own account. From which, if the third propoſition were true, the concluſion would undoubtedly follow, That virtue has no dependence on the intellectual faculties. But as that propoſition is not granted, nor proved, this concluſion is left without any ſupport from the whole of the argument.

I ſhould not have thought it worth while to inſiſt ſo long upon this controverſy, if I did not conceive that the conſequences which the contrary opinions draw after them are important.

If what we call *moral judgment* be no real judgment, but merely a feeling, it follows, that the principles of morals which we have been taught to conſider as an immutable law to all intelligent beings, have no other foundation but an arbitrary ſtructure and fabric in the conſtitution of the human mind: So that, by a change in our ſtructure, what is immoral might become moral, virtue might be turned into vice, and vice into virtue. And beings of a different ſtructure, according to the variety of their feelings, may have different, nay oppoſite, meaſures of moral good and evil.

It follows that, from our notions of morals, we can conclude

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nothing concerning a moral character in the Deity, which is the foundation of all religion, and the ſtrongeſt ſupport of virtue.

Nay, this opinion ſeems to conclude ſtrongly againſt a moral character in the Deity, ſince nothing arbitrary or mutable can be conceived to enter into the deſcription of a nature eternal, immutable, and neceſſarily exiſtent. Mr HUME ſeems perfectly conſiſtent with himſelf, in allowing of no evidence for the moral attributes of the Supreme Being, whatever there may be for his natural attributes.

On the other hand, if moral judgment be a true and real judgment, the principles of morals ſtand upon the immutable foundation of truth, and can undergo no change by any difference of fabric, or ſtructure of thoſe who judge of them. There may be, and there are, beings, who have not the faculty of conceiving moral truths, or perceiving the excellence of moral worth, as there are beings incapable of perceiving mathematical truths; but no defect, no error of underſtanding, can make what is true to be falſe.

If it be true that piety, juſtice, benevolence, wiſdom, temperance, fortitude, are in their own nature the moſt excellent and moſt amiable qualities of a human creature; that vice has an inherent turpitude, which merits diſapprobation and diſlike; theſe truths cannot be hid from him whoſe underſtanding is infinite, whoſe judgment is always according to truth, and who muſt eſteem every thing according to its real value.

The Judge of all the earth, we are ſure, will do right. He has given to men the faculty of perceiving the right and the wrong in conduct, as far as is neceſſary to our preſent ſtate, and of perceiving the dignity of the one, and the demerit of the other;

other; and surely there can be no real knowledge or real excellence in man, which is not in his Maker. CHAP. VII

We may therefore justly conclude, That what we know in part, and see in part, of right and wrong, he sees perfectly; that the moral excellence which we see and admire in some of our fellow-creatures, is a faint but true copy of that moral excellence, which is essential to his nature; and that to tread the path of virtue, is the true dignity of our nature, an imitation of GOD, and the way to obtain his favour.

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